

CITY COUNCIL AGENDA



DATE November 28, 2011 – 7 p.m.

Please turn off or place on non-audible all cell phones, PDAs, Blackberrys and pagers during the meeting.

**O Canada
Silent Prayer
Disclosure of Pecuniary Interest**

PRESENTATION

- a) Presentation of the 2011 Ontario Museum Association Award of Excellence for Lifetime Achievement to Bev Dietrich, Curator, Guelph Museums
- b) Guelph Historical Society presentation to Council Members in recognition of their 50th Anniversary.

CONFIRMATION OF MINUTES (Councillor Findlay)

"THAT the minutes of the Council Meetings held October 18, 19, and 24, November 2, 7 and 17, 2011 and the minutes of the Council meetings held in Committee of the Whole on October 24, November 2, and 7, 2011 be confirmed as recorded and without being read."

CONSENT REPORTS/AGENDA – ITEMS TO BE EXTRACTED

The following resolutions have been prepared to facilitate Council's consideration of the various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Reports/Agenda, please identify the item. The item will be extracted and dealt with separately. The balance of the Consent Reports/Agenda will be approved in one resolution.

Consent Reports/Agenda from:

Community & Social Services Committee			
Item	City Presentation	Delegations	To be Extracted
CSS-1 Overview of Ontario Works/Housing/Child Care			
CSS-2 Guelph-Wellington Food Charter			

Adoption of balance of Community & Social Services Committee Ninth Consent Report – Councillor Laidlaw, Chair

Corporate Administration, Finance & Emergency Services Committee			
Item	City Presentation	Delegations	To be Extracted
CAFES-1 Diversity Strategy	<ul style="list-style-type: none"> Mark Amorosi 		✓
CAFES-2 Proposed Sale of Land to Guelph Junction Railway Company			
CAFES-3 Proposed Offer to Purchase – City Land at North East Corner Division Street and Exhibition Street			
CAFES-4 City Owned Property at 65 Delhi Street – Former Delhi Community Centre			
CAFES-5 Residential Sprinklers – Community Awareness Initiative			
CAFES-6 Elizabeth Street Storm System Proposed Offer to Sell – 292 Elizabeth Street			
CAFES-7 Projected Operating Variance Report for 2011			

Adoption of balance of Corporate Administration, Finance & Emergency Services Committee Consent Report - Councillor Hofland, Chair

Operations & Transit Committee			
Item	City Presentation	Delegations	To be Extracted
OT -1 Service Fact Sheet: Horticultural Displays for Community Beautification; and			

	Property Demarcation Policy Service Review			
OT-2	Land Use Agreement – St. Joseph’s Health Centre			

Adoption of balance of Operations & Transit Committee Consent Report - Councillor Findlay, Chair

Council Consent Agenda				
Item		City Presentation	Delegations	To be Extracted
A-1)	25 Ervin Crescent – Upcoming Ontario Municipal Board Hearing (A-74/11)			
A-2)	Amending Agreements – Wurth Canada Limited			
B-1)	2011 Sparkles in the Park – Fireworks Exemption Request			

Adoption of balance of the Council Consent Agenda – Councillor

**ITEMS EXTRACTED FROM COMMITTEES OF COUNCIL REPORTS
AND COUNCIL CONSENT AGENDA** (Chairs to present the extracted
items)

Once extracted items are identified, they will be dealt with in the following order:

- 1) delegations (may include presentations)*
- 2) staff presentations only*
- 3) all others.*

Reports from:

- Community & Social Services – Councillor Laidlaw
- Corporate Administration, Finance & Emergency Services – Councillor Hofland
- Operations & Transit – Councillor Findlay
- Council Consent – Mayor Farbridge

SPECIAL RESOLUTIONS

Councillor Piper’s Notice of Motion for which notice was given April 26, 2011

THAT the matter of investigating Council’s authority to require that all
recyclable construction and demolition waste material in the City of Guelph

be diverted from landfill be referred to the Planning & Building, Engineering and Environment Committee of Council.

BY-LAWS

Resolution – Adoption of By-laws (Councillor Furfaro)

MAYOR'S ANNOUNCEMENTS

Please provide any announcements, to the Mayor in writing, by 12 noon on the day of the Council meeting.

NOTICE OF MOTION

ADJOURNMENT

Council Chambers
October 18, 2011 6:00 p.m.

A meeting of Guelph City Council as a Tribunal to hear a complaint under Section 20 of the Development Charges Act, 1997, as amended, with respect to 945 Southgate Drive.

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, and Van Hellemond

Absent: Councillors Kovach, Piper and Wettstein

Representing The Corporation of the City of Guelph: Ms. D. Jaques, General Manager of Legal Services/City Solicitor

Representing the Complainant: Mr. M. Kemerer, Solicitor

Also Present: Mr. B. Banting, Associate Solicitor/Tribunal Legal Counsel; Ms. J. Sweeney, Clerk Designate; and Ms. D. Black, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations.

The Mayor outlined procedural matters and Council's responsibilities when sitting as the Tribunal.

Mr. Marc Kemerer, solicitor on behalf of the complainant, 2144113 Ontario Limited, owner of 945 Southgate Drive, Guelph, suggested that City staff made an error in determining the higher commercial development charge rate applied to his client's property as the building is designed and intended to be used as an industrial building. He advised that under the Development Charges Act, the municipality must produce a pamphlet outlining the charges for each classification to act as a guide only and does not replace the by-law and is not permitted to act as a vehicle to add provisions to the by-law.

He stated that the relevant sections of the 1994 and 2009 Development Charges By-laws have not changed so the application of the charges should not have changed. He advised there is no provision in the Development Charges by-law that allows for the higher commercial rate to be charged on speculation development. He suggested that developers or land owners obtaining an industrial building permit, would expect development charges to be

established as industrial as payment is due and payable upon the issuance of the permit.

Mr. Kemerer suggested that the added statement in the pamphlet: "that if the nature of the business of future tenants is unknown the commercial/institutional rate shall apply to the entire gross floor area" exceeds the City's jurisdiction.

Mr. Kemerer further suggested the higher commercial/institutional rate is ultra vires as the carrying costs for the letter of credit is costly.

Mr. Kemerer recommended that the City adopt the alternative approach to the situation provided in Mr. Luffman's affidavit that suggests the City collect the appropriate development charges at the time finishing permits are issued.

He requested that the Tribunal uphold the complaint, impose the industrial rate on building B at 945 Southgate Drive, and declare the current agreement between the City and the client null and void.

Ms. Donna Jaques, City Solicitor, advised she disagreed with Mr. Kemerer's interpretation regarding the pamphlet. She stated that the Development Charges Act requires a pamphlet be established but the pamphlet does not require the approval of Council. She advised that the pamphlet states the rules for determining the rates for development and does reflect the intent of Council. She further advised that the Development Charges by-law indicates that the default would be the commercial rate with the onus on the developer/owner to prove the property is industrial. She stated that the definition of industrial in the Zoning By-law and the Development Charges By-law are different and the Development Charges By-law definition determines the fees. She advised that there has been no proof to the City's satisfaction, that the building will be an industrial use under the Development Charges By-law.

In response to the issue of prejudice raised by Mr. Kemerer, she advised that it would be unfair to the City and the taxpayers if the City did not impose the commercial/institutional rate as laid out in the pamphlet. She stated that the pamphlet is provided to all developers/owners and the complainant would have seen the information within the pamphlet. She stated that since the use of the building is unknown, the commercial/institutional rate needs to be applied.

Mr. Kemerer reiterated that the property is designed and intended as industrial and the development charges should be assigned as same.

The meeting recessed at 7:42 p.m. for deliberation of the Tribunal.

The meeting resumed at 8:20 p.m.

The Mayor advised of the Tribunal's decision as follows:

"THAT the definition of industrial use in the Development Charges By-law is more restrictive than contained in the Zoning By-law;

AND THAT the definitions contained in the Development Charges By-law are used to assess a property at the industrial development charge rate;

AND THAT there is no clear policy in the Development Charges By-law with respect to speculative industrial construction;

AND THAT there is a lack of alignment between the 2009 Development Charges By-law and the 2009 Development Charges Pamphlet;

AND THAT the Tribunal believes that the City should be encouraging speculative industrial construction;

THEREFORE the Tribunal finds in favour of the complainant;

AND THAT the current agreement between the City of Guelph and 2144113 Ontario Limited, owner of 945 Southgate Drive, Guelph, be declared null and void;

AND THAT the City of Guelph enter into a new agreement that requires the payment of commercial development charges, where applicable, at the issuance of the tenant finishing building permit."

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Van Hellemond and Mayor Farbridge (10)

VOTING AGAINST: (0)

Carried

The meeting adjourned at 8:25 o'clock p.m.

Minutes read and confirmed November 28, 2011.

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Mayor

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Clerk Designate

Council Chambers
October 19, 2011

Council convened in formal session at 6:00 p.m.

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw (arrived at 6:09), Piper and Wettstein

Absent: Councillors Kovach and Van Hellemond

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. S. Aram, Acting City Treasurer; Ms. T. Agnello, Acting Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

The Mayor advised that the purpose of the meeting was to consider the 2012 Enterprise Funded (non-tax supported) Operating and Capital Budgets. She briefly recapped the budget process to date.

Water and Wastewater Services Budgets

The Executive Director of Planning, Engineering & Environmental Services introduced the Water, Wastewater and Ontario Building Code Administration budgets. She highlighted the rate pressures affecting water and wastewater, the 2011 Water Services accomplishments and outlined the increase to the average annual residential water bill. She also outlined the key budget drivers to the water budget with respect to capital cost increases, operating budget cost increases and proposed efficiency expansions. She provided information with respect to the Water Services Reserves and reserve funds.

In response to questions, Wayne Galliher, Water Conservation Project Manager provided information with respect to water consumption per person.

The Executive Director of Planning, Engineering & Environmental Services highlighted the 2011 Wastewater Services Accomplishments. She provided information on

the key budget drivers faced by the service with respect to capital cost increases, operating budget cost increases and proposed efficiency expansions. She also provided information on the Wastewater Services Reserve and reserve funds.

Dr. J. Laird
Ms. S. Aram

1. Moved by Councillor Dennis
Seconded by Councillor Findlay
THAT the proposed expansion packages in the net amounts of \$150,000 for Water and \$89,980 for wastewater be approved;

AND THAT the 2012 Water and Wastewater Operating Budgets in the amounts of \$22,544,050 and \$24,602,984 respectively, inclusive of expansions, be approved;

AND THAT the 2012 Water and Wastewater Capital Budgets and 2013 - 2021 Forecasts in the amounts of \$195,027,500 and \$234,756,800 respectively, be approved;

AND THAT the City of Guelph water volume charge of \$1.30 cents per cubic metre effective March 1, 2012 and the wastewater volume charge of \$1.41 cents per cubic metre, effective March 1, 2012, be approved;

AND THAT the City of Guelph water and wastewater basic service charges and various fees and charges, be increased as per attached schedule "A" effective March 1, 2012;

AND THAT the Waterworks Fees and Services By-law be passed.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

Ontario Building Code Administration Budget

The Executive Director of Planning, Engineering & Environmental Services introduced the Ontario Building Code Administration Budget which consists of primarily two service areas, being OBC and Reserve and Non-OBC. She outlined the key budget drivers impacting the budget with respect to forecasting future building activity and revenues; forecasting future workload requirements;

compensation costs; and reduced interdepartmental cross charges. She highlighted the 2011 OBC accomplishments and the 2012 objectives. She provided information with respect to the Building Stabilization Reserve.

In response to questions, Bruce Poole, Chief Building Official provided information with respect to the City's turnaround time for the issuance of permits in relation to the surrounding comparators.

2. Moved by Councillor Hofland
Seconded by Councillor Piper

Dr. J. Laird
Ms. S. Aram
Mr. B. Poole

THAT the 2012 Ontario Building Code Administration Operating Budget in the amount of \$2,400,000 be approved.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

Court Services Operating and Capital Budgets

The Executive Director of Corporate & Human Resources introduced the Court Services 2012 Operating and Capital Budgets. He advised that Court Services is comprised of the following service areas: prosecutions; Court support; Court administration; and Court facilities. He highlighted the operation of Court Services and advised that services provided are mandatory according to an agreement with the Province of Ontario. He further advised that the City cannot alter the fine amounts to increase revenues. He outlined the 2011 Court Services accomplishments and the key budget drivers relating to operating budget cost increases; creation of a POA contingency reserve; and the establishment of capital asset funding. He also provided information relating to the Court Services Reserve and reserve funds.

The Manager of Court Services in response to questions provided information with respect to the collection of outstanding fines.

3. Moved by Councillor Findlay
Seconded by Councillor Wettstein

Mr. M. Amorosi
Ms. S. Aram
Mr. B. Coutts

THAT the 2012 Court Services Operating Budgets in the amount of \$3,580,960 be approved;

AND THAT the 2012 Court Services Capital Budget and 2013-2021 Capital Forecast in the amount of \$572,700 be approved.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

ADJOURNMENT

The meeting adjourned at 7:50 o'clock p.m.

Minutes read and confirmed November 28, 2011.

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Mayor

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Acting Clerk

Council Caucus Room
October 24, 2011 6:30 p.m.

A meeting of Guelph City Council.

Present: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Piper, Van Hellemond and Wettstein

Absent: Mayor Farbridge, Councillors Kovach and Laidlaw

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Mr. D. Chapman, Chief Financial Officer/ City Treasurer; Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. D. Jacques, General Manager of Legal Services/City Solicitor; and Ms. T. Agnello, Acting Clerk

Councillor Piper Chaired the meeting.

1. Moved by Councillor Findlay
Seconded by Councillor Burcher
THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

Litigation Status Update

S. 239 (2) (e) Litigation or Potential Litigation, including matters before Administrative Tribunals.

Carried

The meeting adjourned at 6:31 o'clock p.m.

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Acting Mayor

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Acting Clerk

Council Caucus Room
October 24, 2011 6:32 p.m.

A meeting of Guelph City Council closed to the public.

Present: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw (arrived at 6:40 p.m.), Piper, Van Hellemond and Wettstein

Absent: Mayor Farbridge and Councillor Kovach

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Mr. D. Chapman, Chief Financial Officer/ City Treasurer; Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. D. Jacques, General Manager of Legal Services/City Solicitor; and Ms. T. Agnello, Acting Clerk

Councillor Piper Chaired the meeting.

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations.

Litigation or Potential Litigation

1. Moved by Councillor Findlay
Seconded by Councillor Burcher
THAT staff were given direction with respect to a litigation matter.

Ms. D. Jaques

Carried

The meeting adjourned at 7:00 o'clock p.m.

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Acting Mayor

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Acting Clerk

Council Chambers
October 24, 2011

Council reconvened in formal session at 7:00 p.m.

Present: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein

Absent: Mayor Farbridge and Councillor Kovach

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Ms. C. Clack, Acting Executive Director of Community & Social Services; Mr. D. Chapman, Chief Financial Officer/ City Treasurer; Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. T. Agnello, Acting Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

Councillor Piper Chaired the meeting.

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

PRESENTATIONS

Mr. Pierre Desmarais, Past President of the Guelph Wellington Seniors Association was present and outlined the activities of the Association over the past year. He provided information on the survey conducted of their membership; the member information brochure; the special events brochure; the educational sessions conducted; their website and the 2010 year end variety show. He outlined their concerns with respect to no scheduled increase in the supply of community recreational centres for older adults and that they would like to be fully involved in the development of an aging plan. He also suggested that the partnership agreement between the City and the Guelph Wellington Seniors Association needs to be updated.

1. Moved by Councillor Bell

Seconded by Councillor Findlay

THAT the minutes of the Council meetings held on September 20, 26, 27 and October 3, 2011 and the minutes of the Council meeting held in Committee of the

Whole on September 26, 2011 be confirmed as recorded and without being read.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (11)

VOTING AGAINST: (0)

Carried

CONSENT REPORTS AND AGENDAS

The following item was extracted from the Community & Social Services Committee Eighth Consent Report to be voted on separately:

- CSS-1 Affordable Bus Pass Pilot Program

Councillor Laidlaw presented the balance of the Community & Social Services Committee Eighth Consent Report.

2. Moved by Councillor Laidlaw
Seconded by Councillor Dennis

THAT the balance of the October 24, 2011 Community & Social Services Committee Eighth Consent Report as identified below, be adopted:

- a) **2011 Service Review Process: Community & Social Services (CSS) – Service Fact Sheets**

Ms. C. Clack
Ms. A. Pappert
Ms. B. Boisvert

THAT Report #CSS-ADM-1144 entitled "2011 Service Review Process: Community and Social Services – Service Fact Sheets", dated October 12, 2011, be received for information;

AND THAT a service review be carried out on Community and Social Services Programming and Educational Activities – Parks/Recreation;

AND THAT an operational review be carried out on Community & Social Services: Civic Precinct Management and that staff report back on the best timing for this operational review;

AND THAT no action be taken on the following Community & Social Services review of services:

- Youth Services Coordinator
- Community Engagement Consultation, research and public policy
- Market Square Programming

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (11)

VOTING AGAINST: (0)

Carried

Councillor Hofland presented the Corporate Administration, Finance Emergency Services Committee Eighth Consent Report.

3. Moved by Councillor Hofland
Seconded by Councillor Dennis
THAT the October 24, 2011 Corporate Administration, Finance & Emergency Services Committee Eighth Consent Report as identified below, be adopted:

a) **2011 Service Review Process: Corporate Administration, Corporate and Human Resources – Service Fact Sheets**

Mr. M. Amorosi
Ms. A. Pappert
Ms. B. Boisvert

THAT the additional descriptive data on specific services within Corporate Administration, Corporate and Human Resources identified in the 2011 Service Review Process, be received for information;

AND THAT no action be taken at this time with respect to service and operational reviews with respect to:

- Strategic Planning and Corporate Initiatives
- Manager of Labour Relations – Attendance Management
- Corporate Initiatives for Employee Engagement
- Diversity Strategy

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (11)

VOTING AGAINST: (0)

Carried

The following item was extracted from the Operations & Transit Committee Eighth Consent Report to be voted on separately:

- OT-3 Noise By-law Review

Councillor Findlay presented the balance of the Operations & Transit Committee Eighth Consent Report.

4. Moved by Councillor Findlay
Seconded by Councillor Bell
THAT the balance of the October 24, 2011 Operations & Transit Committee Eighth Consent Report as identified below, be adopted:

a) **2011/2012 Guelph Storm Mutual Services Agreement**

Mr. D. McCaughan
Ms. D. Jaques

THAT the Operations & Transit Committee Report OT071151 '2011/2012 Guelph Storm Mutual Services Agreement' dated October 17, 2011 be received;

AND THAT the Mayor and City Clerk be authorized to sign the Mutual Services Agreement with the Guelph Storm satisfactory to the Executive Director of Operations & Transit (or the designate) and the City Solicitor (or designate).

b) **2011 Service Review Process: Service Fact Sheets**

Mr. D. McCaughan
Ms. A. Pappert
Ms. B. Boisvert

THAT the Operations and Transit Committee Report OT071152 '2011 Service Review Process: Service Fact Sheets' dated October 12, 2011 be received.

AND THAT no action be taken at this time with respect to service and operational reviews with respect to:

- Christmas Tree Collection
- Bridge, Headwall and Retaining Wall Maintenance

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (11)

VOTING AGAINST: (0)

Carried

The following item was extracted from the Planning & Building, Engineering and Environment Committee Seventh Consent Report to be voted on separately:

- PBEES- 3 New Affordable Housing Ontario Initiative

Councillor Burcher presented the balance of the Planning & Building, Engineering and Environment Committee Seventh Consent Report.

5. Moved by Councillor Burcher
Seconded by Councillor Guthrie
THAT the balance of the October 24, 2011 Planning & Building, Engineering and Environment Committee Seventh Consent Report as identified below, be adopted:

a) **Water Services' Operation Plan Endorsement**

Dr. J. Laird

THAT Council, as the Owner of the City's drinking water system, endorse the Water Services' Operational Plan;

AND THAT the Executive Summary of Risk Assessment Outcomes of the Water Services' Operational Plan, be received."

b) **Draft City of Guelph Source Water Protection Policies and Pre-Consultation**

Dr. J. Laird

THAT the Planning & Building, Engineering and Environment report 11-93 dated October 17, 2011 entitled Draft City of Guelph Source Water Protection Policies and Pre-Consultation be received;

AND THAT Council authorize staff to conduct Pre-Consultation on the proposed policy directives contained in the Draft Guelph Specific Policy Discussion Paper;

AND THAT staff report back to Council on the findings of the pre-consultation and recommend final Guelph specific source water protection policies for endorsement and submission to the Lake Erie Source Protection Committee (LESP) for inclusion in the Grand River Source Protection Plan.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (11)

VOTING AGAINST: (0)

Carried

The following items were extracted from the Governance Committee Fifth Consent Report to be voted on separately:

- GOV-1 Integrity Commissioner, Complaints Process and Council and Local Boards Code of Conduct
- GOV-6 Service and Operational Review Plans
- GOV 8 Board Appointments – Guelph Non-Profit Housing Board

Councillor Hofland presented the balance of the Governance Committee Fifth Consent Report.

6. Moved by Councillor Hofland
Seconded by Councillor Laidlaw
THAT the balance of the October 24 , 2011 Governance Committee Fifth Consent Report as identified below, be adopted:

a) **2012 and January 2013 Council and Committee Meeting Schedule**

Mayor Farbridge
Councillors
Executive Directors
Ms. T. Agnello

THAT the 2012 and January 2013 Planning and Regular Council and Committee meeting schedule be approved as outlined on the attached calendar, attached as Appendix 1.

b) **Chief Administrative Officer (CAO) By-law Update**

Mr. M. Amorosi

THAT the CAO by-law to define the general duties, roles and responsibilities of the Chief Administrative Officer, attached hereto as Appendix "2", be approved and attached as part of the CAO Employment Policies and Procedures.

c) **CAO Employment Policies and Procedures**

Mr. M. Amorosi

THAT the revisions to the CAO Employment Policy be approved, as attached Appendix 3.

d) **Social Media Principles and Guidelines: A Reference for Elected Officials**

Ms. A. Pappert
Ms. T. Sprigg

THAT the report titled, *Social media principles and guidelines; a reference for elected officials*, be received;

AND THAT communications staff in consultation with legal report back on any necessary disclaimers.

e) **City of Guelph Procedural By-law Governing Council and Committee Meetings**

Ms. T. Agnello

THAT the report from the Acting Clerk dated October 11, 2011 regarding the Procedural By-law be received;

AND THAT a by-law be enacted to approve the Procedures Governing Council and Committee meetings, as amended.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (11)

VOTING AGAINST: (0)

Carried

Councillor Findlay presented the Council In Closed Session Fifth Consent Report.

7. Moved by Councillor Findlay
Seconded by Councillor Wettstein

THAT the October 24, 2011 Council In Closed Session Fifth Consent Report as identified below, be adopted:

a) **Citizen Appointments to the Guelph Junction Railway Board of Directors**

Ms. T. Agnello

THAT David Clarke and Stephen Host be appointed to the Guelph Junction Railway Board of Directors for a three year term expiring 2014.

b) **Citizen Appointments to the Organic Waste Processing Facility Public Liaison Committee**

Ms. T. Agnello

THAT Donna Sunter, Laura Marini, Ken Spira, Karyn Hogan, Scott Massen, Mike Fortin and Larry Conrad, be appointed to the Organic Waste Processing Facility Public Liaison Committee for a term ending November, 2012.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (11)

VOTING AGAINST: (0)

Carried

Consent Agenda

The following item was extracted from the October 24, 2011 Consent Agenda to be voted on separately:

- A-1 Debenture Issue

DELEGATIONS

Noise By-law Review

Duncan MacKenzie was present and expressed concern with the noise created by modified exhausted motorcycles and cars. He suggested that these vehicles be pulled over and made to restore the vehicles to the original factory standards. He also expressed concern with the building materials being removed from surrounding reconstruction

being landfilled and requested if there is some way that this material can be diverted from the landfill.

Susan Ratcliffe expressed concern with the noise created by motorcycles and trucks along the Speed River Trail. She requested the proposed noise by-law include a clear decibel limit for engine noise that can be enforced; use the same language as suggested by staff for airconditioners; require each motorcycle owner to take their vehicle to the police station or authorized business to have the noise level tested and if passed, receive a certificate allowing them to continue to use the vehicle; and shift the truck route from Wellington Street to Stone Road.

Councillor Findlay presented Clause 3 that was extracted from the Operations & Transit Committee Eighth Consent Report.

Mr. D. McCaughan

8. Moved by Councillor Findlay
Seconded by Councillor Van Hellemond
THAT the Operations & Transit Committee Report OT071153 'Noise By-law Review' dated October 17, 2011 be received;

AND THAT amendments to the Noise By-law as set out in Operations & Transit Committee Report OT071153 'Noise By-law Review' dated October 17th, 2011 be approved;

AND THAT staff be directed to review best practices with respect to establishing a possible noise decibel level in the noise by-law for motor vehicles intended for road use.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (11)

VOTING AGAINST: (0)

Carried

Affordable Bus Pass Pilot Program

Councillor Laidlaw presented Clause 1 that was extracted from the Community & Social Services Committee Eighth Consent Report.

9. Moved by Councillor Laidlaw
Seconded by Councillor Dennis
THAT Report #CSS-CESS-1140 entitled "Affordable Bus Pass Pilot Program" dated October 12, 2011, be received;

AND THAT Council approves Option 2 as outlined in the Affordable Bus Pass Pilot Program report, to introduce a two year Affordable Bus Pass Pilot Program, to take forward as part of the 2012 budget deliberations;

AND THAT staff provide Council with quarterly reports during the duration of the pilot program.

10. Moved in Amendment by Councillor Findlay
Seconded by Councillor Dennis

THAT the phase in of the increased bus pass fee under Option 2, for existing bus pass holders be reviewed in consultation with the Accessibility Advisory Committee.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (10)

VOTING AGAINST: Councillor Guthrie (1)

Carried

11. Moved by Councillor Laidlaw
Seconded by Councillor Dennis

Ms. C. Clack
Mr. D. McCaughan
Ms. S. Aram

THAT Report #CSS-CESS-1140 entitled "Affordable Bus Pass Pilot Program" dated October 12, 2011, be received;

AND THAT Council approves Option 2 as outlined in the Affordable Bus Pass Pilot Program report, to introduce a two year Affordable Bus Pass Pilot Program, to take forward as part of the 2012 budget deliberations;

AND THAT staff provide Council with quarterly reports during the duration of the pilot program;

AND THAT the phase in of the increased bus pass fee under Option 2, for existing bus pass holders be reviewed in consultation with the Accessibility Advisory Committee.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (11)

VOTING AGAINST: (0)

Carried

New Affordable Housing Ontario Initiative

Councillor Burcher presented Clause 3 that was extracted from the Planning & Building, Engineering

and Environment Committee Seventh Consent Report.

Dr. J. Laird
Mr. J. Riddell
Ms. S. Aram
Hon. K. Wynne
Ms. Liz Sandals
Mr. S. Wilson

12. Moved by Councillor Burcher
Seconded by Councillor Guthrie

WHEREAS the County of Wellington staff have been authorized to undertake actions to establish a plan under the "Investment for Affordable Housing (IAH) Initiative" and that recommendations for a plan be brought forward to the Committee in November 2011;

AND WHEREAS the City of Guelph supports the affordable housing project proposed at 71 Wyndham Street as being a project which should take advantage of immediate Provincial Funding under year one of this program;

THEREFORE BE IT RESOLVED THAT County staff consider this request in their report of November 2011 and that the Social Services Committee recommend that the project at 71 Wyndham Street be given first consideration to the Program funding under the Investment for Affordable Housing (IAH) Initiative;

AND FURTHER THAT this resolution be forwarded to the Ministry of Municipal Affairs and Housing and Liz Sandals, M.P.P. and the County of Wellington.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (11)

VOTING AGAINST: (0)

Carried

Dr. J. Laird
Ms. C. Clack
Mr. J. Riddell

13. Moved by Councillor Bell
Seconded by Councillor Guthrie

THAT staff report back to the Planning & Building, Engineering & Environment Committee within 6 months to one year through the Affordable Housing Strategy:

- the possibility of another project coming forward under the New Housing Ontario Initiative;
- how this project and others would fit into the Affordable Housing Strategy and how the City is doing with the creation of affordable units
- the fixed terms of private affordable housing projects and the measures that could be taken to ensure the extended availability of affordable units
- general comparison of affordable housing built by non-for-profit organizations and private developers.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (11)

VOTING AGAINST: (0)

Carried

Integrity Commissioner, Complaints Process and Council and Local Boards Code of Conduct

Councillor Laidlaw presented Clause 1 that was extracted from the Governance Committee Fifth Consent Report.

Mr. M. Amorosi
Ms. T. Agnello

14. Moved by Councillor Laidlaw
Seconded by Councillor Hofland

THAT a by-law appointing Robert Swayze as the Integrity Commissioner for the City of Guelph and its Local Boards be forwarded to Council for adoption;

AND THAT the Council and Local Boards Code of Conduct be updated and amended to include a complaints process to be followed by the Integrity Commissioner in the form attached to this report.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (11)

VOTING AGAINST: (0)

Carried

Service and Operational Review Plans

Councillor Laidlaw presented Clause 6 that was extracted from the Governance Committee Fifth Consent Report.

Ms. A. Pappert
Mr. M. Amorosi
Ms. S. Aram

15. Moved by Councillor Laidlaw
Seconded by Councillor Hofland

THAT financial resource requirements necessary to initiate Council approved review activity be funded in 2011 through the Human Resource gapping Operational Reserve and that the resources be repaid over time through positive year end variance.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (11)

VOTING AGAINST: (0)

Carried

Board Appointments – Guelph Non-Profit Housing Board

Councillor Laidlaw presented Clause 8 that was extracted from the Governance Committee Fifth Consent Report.

Ms. C. Clack
Ms. T. Agnello

16. Moved by Councillor Laidlaw
Seconded by Councillor Hofland
THAT report #CSS-CESS-1138 dated October 11, 2011, regarding Board Appointments to non-profit housing corporations, be received;

AND THAT a Council member no longer be appointed to the Guelph Non-Profit Housing Board.

VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Hofland, Laidlaw, Piper and Wettstein (7)

VOTING AGAINST: Councillors Bell, Furfaro, Guthrie and Van Hellemond (4)

Carried

Debenture Issue

Councillor Hofland presented Clause 1 of the October 24, 2011 Consent Agenda.

Ms. S. Aram

17. Moved by Councillor Hofland
Seconded by Councillor Furfaro
THAT the City Treasurer be authorized to proceed with the marketing through the City's fiscal agent, of a debenture issue in the principal aggregate amount of \$46,750,000 dated 9 November 2011 for a term not exceeding ten years.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (11)

VOTING AGAINST: (0)

Carried

BY-LAWS

18. Moved by Councillor Burcher
Seconded by Councillor Wettstein
THAT By-laws Numbered (2011)- 19279 to (2011)-
19293, inclusive, are hereby passed.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis,
Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van
Hellemond and Wettstein (11)

VOTING AGAINST: (0)

Carried

ADJOURNMENT

The meeting adjourned at 9 o'clock p.m.

Minutes read and confirmed November 28, 2011.

.....
Acting Mayor

.....
Acting Clerk

2012 Council and Committee Meeting Schedule

Audit – Audit Committee

CSS - Community & Social Services @ 5 p.m. (2nd Tuesday)

CAFES - Corporate Administration, Finance & Emergency Services Committee @ 5 p.m. (2nd Monday)

PBEE – Planning & Building, Engineering and Environment Committee @ 12:30 p.m. (3rd Monday)

OT – Operations & Transit Committee @ 5 p.m. (3rd Monday)

Gov - Governance Committee @ 3 p.m. (2nd Monday of January, April, July & October)

January					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
					1 New Year's Day
2 City Hall Closed	3	4	5	6	7
					8
9 GOV CAFES	10 CSS	11	12	13	14
					15
16 Council Planning	17	18	19	20	21
					22
23 PBEE OT	24	25	26	27	28
					29
30 Council	31				

February					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
		1	2	3	4
					5
6 Council Planning	7	8	9	10	11
					12
13 CAFES	14 CSS	15	16	17	18
					19
20 Family Day	21 PBEE OT	22	23	24	25
					26
27 Council	28	29			

March					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
			1	2	3
					4
5 Council Planning	6	7	8	9	10
					11
12 CAFES	13 CSS	14	15	16	17
					18
19 PBEE OT	20	21	22	23	24
					25
26 Council	27	28	29	30	31

April					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
					1
2 Council Planning	3	4	5	6 Good Friday	7
					8 Easter
9 Easter Monday	10 GOV CAFES	11 CSS	12	13	14
					15
16 PBEE OT	17	18	19	20	21
					22
23 Council	24	25	26	27	28
					29
30					

May					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
	1	2	3	4	5
					6
7 Council Planning	8 CSS	9	10	11	12
					13
14 CAFES	15	16	17	18	19
					20
21 Victoria Day	22 PBEE OT	23	24	25	26
					27
28 Council	29	30	31		

June					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
				1 FCM Annual Conference	2/3 Annual Conference
4 FCM Annual Conference	5 Council Planning	6	7	8	9
					10
11 CAFES	12 CSS	13	14	15	16
					17
18 PBEE OT	19	20	21	22	23
					24
25 Council	26	27	28	29	30

July					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
					1 Canada Day
2 City Hall Closed	3 Council Planning	4	5	6	7
					8
9 GOV CAFE	10 CSS	11	12	13	14
					15
16 PBEE OT	17	18	19	20	21
					22
23 Council	24	25	26	27	28
					29
30	31				

August					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
		1	2	3	4
					5
6 John Galt Day / Civic Holiday	7	8	9	10	11
					12
13	14	15	16	17	18
					19 AMO Annual Conference
20 AMO Annual Conference	21 AMO Annual Conference	22 AMO Annual Conference	23	24	25
					26
27	28	29	30	31	

September					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
					1
					2
3 Labour Day	4 Council Planning	5	6	7	8
					9
10 CAFES	11 CSS	12	13	14	15
					16
17 PBEE OT	18	19	20	21	22
					23
24 Council	25	26	27	28	29
					30

October					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
1 Council Planning	2	3	4	5	6
					7
8 Thanksgiving Day	9 GOV CAFES	10 CSS	11	12	13
					14
15 PBEE OT	16	17	18	19	20
					21
22 Council	23	24	25	26	27
					28
29	30	31			

November					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
			1	2	3
					4
5 Council Planning	6	7	8	9	10
					11 Remembrance Day
12 CAFES	13 CSS	14	15	16	17
					18
16 PBEE OT	20	21	22	23	24
					25
26 Council	27	28	29	30	

December					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
					1
					2
3 Council Planning	4 CAFES	5	6	7	8
					9
10 PBEE OT	11 CSS	12	13	14	15
					16
17 Council	18	19	20	21	22
					23
24	25 Christmas Day	26 Boxing Day	27	28	29
					30
31					

January 2013					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
	1 New Year's Day	2	3	4	5 6
7 Council Planning	8	9	10	11	12 13
14 GOV CAFES	15 CSS	16	17	18	19 20
21 PBEE OT	22	23	24	25	26 27
28 Council	29	30	31		

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2011)- *[Insert Data]*

A by-law to define the general duties, roles and responsibilities of the Chief Administrative Officer.

**THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH
ENACTS AS FOLLOWS:**

THAT Council shall appoint *[Insert Data]* as Chief Administrative Officer who shall be responsible to Council for exercising general control and management of the affairs of the Corporation of the City of Guelph for the purpose of ensuring the efficient and effective operation of the municipality, in accordance with Schedule “A” attached.

PASSED this *[Insert Data]* day of *[Insert Data]*, 2011.

KAREN FARBRIDGE – MAYOR

***[Insert Data]* – CITY CLERK**

Appendix ‘A’ General Duties, Roles and Responsibilities

Introduction

The Chief Administrative Officer (CAO) shall carry out the general duties, roles and responsibilities set out herein in accordance with any and all relevant and applicable by-laws, resolutions, policies and guidelines that may be enacted or directed from time to time by Council.

Nothing contained in this document shall be deemed to empower the CAO to perform, do or direct any act which shall in any manner or extent whatsoever encroach upon the legislative powers of Council.

1. General Duties and Responsibilities

Subject to the provisions of the Municipal Act, and as herein provided, the duties and responsibilities of the CAO shall be as follows:

- (a) To report to, be accountable to, and receive authority from the Council of the Corporation of the City of Guelph and to perform his/her duties in conformity with Council decisions;
- (b) To coordinate, lead and direct the Executive Team in the administration of the business affairs of the Corporation;
- (c) To delegate appropriate duties and responsibilities to the Executive Team within the organizational structure for the purpose of establishing an efficient and effective administrative structure;
- (d) To be responsible for motivating and developing the skills of the Executive Team members and fostering productivity, professionalism, adherence to the corporate values and open communications;
- (e) To provide hands-on direction and assistance in planning and implementing difficult and complex tasks which may cover a number of departmental disciplines and which require the co-ordination and co-operation of the various departments;
- (f) To provide information and advice, in co-operation with the Executive Team, as required or as might be useful to Council for purposes of decision making and by-law approvals;
- (g) To attend meetings of Council and Committees of Council as required with the right to speak, but not to vote;
- (h) To present to Council, in co-operation with the Executive Team, reports and information regarding progress and accomplishments of programs and projects, the status of revenue and expenditures and the general administrative management of the Corporation;

- (i) To direct the co-ordination of all policy decisions of Council and deal with matters arising from Council's decisions in accordance with such established policies without further reference to Council except to regularly report to Council upon action taken. Also, to develop and maintain, for reference purposes, a comprehensive manual of policies approved by Council;
- (j) To guide the strategic planning process for the Corporation which includes departmental work plan development, as established by Council;
- (k) To attend to the interests of the Corporation on federal, provincial, regional or local municipal intergovernmental issues and with boards, agencies and commissions at the administrative level;
- (l) To serve as the Chief Executive Officer of Guelph Municipal Holdings Inc. providing leadership and direction as a non-voting member of the Board of Directors without additional remuneration or compensation, other than as expressly approved by Council. Reasonable expenses for travel and/or training in respect to this role may be incurred in accordance with policies established by the Board and approved by Council. To act as the City's "Shareholder Representative" for purposes of communicating Council decisions to the Board; and
- (m) To perform any additional responsibilities and to exercise the powers incidental thereto which may, from time to time, be assigned to the CAO by Council.

2. Human Resource Management & Administration

- (a) To advise Council as to the appointment, promotion, demotion, suspension or dismissal of an Executive Team member reporting directly to the CAO;
- (b) To have authority and responsibility to appoint, promote, demote, suspend or dismiss any employees of the Corporation below the position of Executive Director/CFO in accordance with the lines of authority defined in the organization structure;
- (c) To have authority to appoint, promote, demote, dismiss any other employees of the Corporation in accordance with procedures contained in all collective agreement and in accordance with the lines of authority that are defined in the organization structure;
- (d) To oversee the collective bargaining process with all unionized Corporation employees and to recommend to Council collective agreements concerning wages, benefits, and terms of service and upon approval of Council, to direct the administration of such collective agreements;
- (e) To administer all salaries and performance review of employees who are subject to the supervision of the CAO, within the limitation of any salary plan or salary contract agreement, in consultation with Council, as required; and
- (f) To carry out an annual performance evaluation of all Executive Team members recognizing achievements, correcting deficiencies and improving overall individual or departmental performance in consultation with Council, as required.

3. Financial Management

- (a) To direct, in co-operation with the Chief Financial Officer and the Executive Team, the preparation and presentation of operating and capital budgets on an annual basis;
- (b) To exercise financial control over all Corporate operations in conjunction with the Chief Financial Officer, to ensure compliance with the annual estimates of revenue and expenditure approved by Council;
 - i. to adjust staffing levels to maintain the level of Council approved programs and services provided that no new costs are incurred in the current or subsequent budget years;
 - ii. where, as a result of emerging priorities (e.g. provincial initiatives, changing community priorities, Council direction) that result in the need to introduce new programs or increased service levels, or to increase staffing levels that add cost to the current or subsequent budget years, to secure Council approval;
 - iii. where service level or program reductions are contemplated, to secure Council approval;
- (c) To direct the review of fiscal policy and its management;
- (d) To approve all purchasing with authority to enter into contracts;
- (e) To approve all tenders and quotation awards where funds are provided in the budget and established purchasing policies have been observed; and
- (f) To approve all tenders and quotation awards when Council is unavailable, where funds are provided in the budget and established purchasing policies have been observed.

4. Administrative Organization and Management

- (a) To create and re-organize, in consultation with the Executive Team, such departments of the City as may be considered necessary and proper to fulfil obligations for the Corporation, and will report to Council on the changes;
- (b) To annually meet with Council to review and assess performance during the past year and review and discuss the salary and benefit provisions as well as priorities to be pursued during the following year; and
- (c) To hold office at the pleasure of Council for the agreed upon term. Council may, in its sole discretion, suspend or dismiss the CAO subject to compliance with any statutory requirements or contractual agreements, and subject to the right of the CAO to a hearing before Council or such Committee therefore as Council may by by-law authorize in respect of such suspension or dismissal, if so requested by the CAO.

CORPORATE POLICY AND PROCEDURE



POLICY No.

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EFFECTIVE DATE

REVISION

Tab	City Council – Appendix 8.1
Authority	City Council
Subject	Chief Administrative Officer (CAO) Employment Policy
Related Policies	Procedure for Hiring the CAO, Delegation of CAO Duties, City Purchasing policy
Approved by	City Council (INSERT DATE)
Revision Date	Beginning of New Term of Council

POLICY STATEMENT As part of administrative governance for the City of Guelph, Council acknowledges the requirement for a policy outlining all aspects of employment of a Chief Administrative Officer.

PURPOSE The purpose of this policy is to establish criteria for the recruitment, selection/offer of employment, terms and conditions of employment, performance development, compensation and termination of employment.

PROCEDURE **Recruitment (Council Approval June 18, 2007)**

At such time the CAO position becomes vacant, the Mayor shall notify the Executive Director, Corporate and Human Resources to commence the recruitment process to fill the vacancy as per the Procedure for Hiring a CAO. Appendix 8.2

Options

- 1) (Future) Succession Management - Where the City of Guelph has demonstrated a 'robust' succession management program (i.e. where available 'high' potential candidates have been identified within the City, a well established program exists where candidate skills/competencies are measured against those required for the CAO position, and where development plans are in place, regular reviews are conducted and assessments are made to determine a candidate's readiness for the CAO position), Council may opt to limit the CAO vacancy internally amongst only those identified 'high' potential candidates.
- 2) Executive Search Firm – Where Council has determined that there are no internal candidates through a succession management program that are deemed to be 'ready' to assume the CAO role OR at any time should Council wish to evaluate internal candidates to the external job market, they may decide that the position may be filled utilizing the services of an external executive search firm. The firm would be selected following an RFP process. The successful firm would be selected on the basis

of 'lowest acceptable bid' – reference Purchasing Policy. The position would be available to both internal and external candidates.

Selection

As per the Procedure for Hiring the CAO (Appendix 8.2), the Search Committee shall be comprised of the Mayor and four Chairs of the Standing Committees, or delegates, to a maximum of 6 individuals (i.e. the Mayor, Chairs of four Standing Committees and optional community member). Due to the importance of this position to the City of Guelph, consultation with the Executive Team, City staff, and community stakeholders may be initiated and incorporated into the recruitment and selection process.

Hiring/Offer of Employment

As per the template in Appendix 8.4, the following categories will be included in a CAO Employment Contract – Effective Date and Term of Agreement, Duties, City Policies (i.e. adherence to), Remuneration inclusive of salary, car allowance, parking, applicable moving allowance, professional memberships, Confidentiality, Vacation/Overtime, Termination (see below), Voluntary Resignation, Return of Property, Severability, Release and Acknowledgement, Assignment of Rights, Notices, Applicable Law, and Independent Legal Advice

Tenure of Employment

During the tenure of the CAO, the duties and responsibilities will be governed by a CAO By-Law and a Position Profile – Appendix 8.3.

Performance Development and Appraisal

On an annual basis, performance goals and objectives will be set for the CAO that are aligned to Council's Strategic Plan. The performance of CAO will be reviewed by the Mayor and Chairs of the Standing Committees at least once annually and will include a development plan for the proceeding year. Areas of evaluation will include, but are not limited to: leadership, management, communication, and technical functions. It is recommended that the performance review period commence in January of each year and end no later than March (i.e. a three month process).

The Performance Appraisal portion of the review shall be inclusive and evaluative of work results expected versus achieved as well as an evaluation of how the CAO has modelled and lived the Corporate Values (i.e. what and how work has been accomplished). The development plan referenced above should include areas for development, including but not limited to – strategic planning, relationship management, team leadership, and communication.

A process of 360 degree feedback shall also form part of the development plan, subject to participants having received appropriate

training on the process. The 360 degree process shall be a separate process from the performance review (i.e. to commence after the performance review period). It should be structured in such a way as to provide feedback for personal, professional and leadership development to augment development that had been identified through the performance review period. Results of the 360 feedback shall be shared only with the CAO. The CAO shall provide a summary of the feedback to the Mayor. Results may alter the development plan established during the performance review, and will be confirmed by the Mayor and Chairs of the Standing Committees. Typically, the 360 degree feedback process is managed through an external Human Resources Consultant with expertise in this area.

Compensation (Council approval September 17, 2007)

Compensation for the CAO is based on an annual review to ensure that the range remains competitive at the Council approved competitive position (i.e. currently at the 55th percentile of the Council approved municipal comparator group).

Governing factors that determine the comparator group are:

1. Size of municipality
2. Organization Structure and scope of services (Tier)
3. Average family income for residents within the municipality
4. Number of Employees working for the municipality
5. Operating Budget size
6. Geographic location/employment market/labour pool/market competition within 60km of Guelph

Pay for Performance

Where Council has approved a pay for performance compensation approach for the CAO position, movement through the salary range shall be in accordance with the approved policy. Where the CAO is at job rate i.e. top of the range, pay for performance shall be in the form of a re-earnable lump sum. In the absence of a pay for performance system, movement through the range, subject to satisfactory performance, shall be in accordance with the current Human Resource policy for Non Union employees i.e. movement from one step in the range to the next. Movement of more than one step shall not occur.

Acting/Interim/Assistant CAO (Council Approval – January 28, 2008)

Appendix 8.5

The CAO may appoint an Assistant CAO in accordance with the Council approved policy where temporary administrative responsibilities are given to a member of the Executive Team for a specified period of time to enable the CAO to engage in corporate business opportunities, sabbaticals/leaves of absence and/or mentoring for members of the ET. The CAO may also appoint an Acting CAO in accordance with the policy for a period of less than 1 month due to the absence of the CAO.

Authority to appoint an Interim CAO for a specified period of time, due to

a vacancy in the CAO position, rests with City Council.

Termination of Employment (See CAO Employment Agreement Template Appendix 8.4)

Resignation

In the event the CAO resigns his/her position from the City, the CAO would be required to provide a minimum of eight weeks written notice. The City may waive or reduce this requirement, by Council resolution at any point within the eight weeks notice period. The CAO would receive any unpaid salary and vacation accrual up to the date of resignation.

With Cause

In cases of termination with cause, no severance payments are provided. The CAO would receive any unpaid salary earned to the date of termination and any unused vacation accrual.

Without Cause

Council may opt to negotiate separate terms and conditions for termination without cause within the employment contract contingent on the length of the contract. Typically, for tenure less than 2 years, common law principles would dictate severance provisions for up to 10 months. For contract duration that extend beyond 2 years, severance provisions for termination without cause provide for:

- 1) Payment of 12 months salary plus 1 month for each completed year of service to a maximum of 20 months, in the form of salary continuation.
- 2) Benefit continuation with the exception of short and long term disability.
- 3) OMERS pension contributions
- 4) Car allowance and vacation accrual for the Employment Standards notice period only
- 5) Reimbursement of moving expenses if termination occurs within the first year of employment
- 6) Career Outplacement services for up to six months
- 7) Mitigation of employment – in the event the departing CAO secures alternate employment during the severance period, the City would pay, in the form of a lump sum, one half of the balance of the remaining severance payments owing.

DEFINITIONS

CHIEF ADMINISTRATIVE OFFICER – LONG TERM CONTRACTUAL POSITION REPORTING DIRECTLY TO COUNCIL AS PER THE MUNICIPAL ACT, 2000

ASSISTANT CAO – MEMBER OF EXECUTIVE TEAM APPOINTED BY CAO FOR A SPECIFIED PERIOD TO ALLOW THE CAO TO ENGAGE IN CORPORATE BUSINESS OPPORTUNITIES, SABBATICALS/LEAVES OF ABSENCE, AND/OR MENTORING OF MEMBERS OF ET.

ACTING CAO - MEMBER OF EXECUTIVE TEAM APPOINTED BY CAO FOR A PERIOD OF UP TO 1 MONTH DUE TO ABSENCE OF THE CAO

INTERIM CAO – APPOINTMENT BY COUNCIL OF A CAO ON A TEMPORARY BASIS, FOR A SPECIFIED TIME PERIOD DUE TO A VACANCY IN THE CAO POSITION.

RECRUITMENT – THE PROCESS OF ADVERTISING A POSITION VACANCY TO ATTRACT QUALIFIED CANDIDATES

SUCCESSION MANAGEMENT – A PROGRAM TO DEVELOP HIGH POTENTIAL TALENT IN AN ORGANIZATION TO FILL KEY LEADERSHIP ROLES

SELECTION – THE PROCESS OF CHOOSING THE MOST QUALIFIED APPLICANT FROM A POOL OF APPLICANTS FOR AN ADVERTISED VACANCY

CAO BY-LAW –NOT PRESCRIBED BY THE MUNICIPAL ACT, 2001. OPTIONAL TO DESCRIBE THE GENERAL DUTIES AND RESPONSIBILITIES OF THE CAO.

POSITION DESCRIPTION/PROFILE/MANDATE – AN OFFICIAL INTERNAL DOCUMENT THAT PROVIDES DETAILED DESCRIPTION OF A POSITION'S ROLES, RESPONSIBILITIES AND QUALIFICATIONS.

PERFORMANCE DEVELOPMENT/APPRaisal – AN ANNUAL PROCESS WHEREBY A POSITION'S DIRECT REPORT ASSESSES AND EVALUATES THE PRECEDING TERM ACCOMPLISHMENTS AND PROGRESS REGARDING PRE-DETERMINED GOALS AND OBJECTIVES FOR THE REVIEW PERIOD.

360 DEGREE FEEDBACK – A PROCESS WHEREIN A POSITION'S DIRECT REPORTS, PEERS AND SUB-ORDINATES PROVIDE FEEDBACK TO AN INCUMBENT ON DEVELOPMENT OPPORTUNITIES.

PAY FOR PERFORMANCE – A PRACTICE WHEREBY AN EMPLOYEE IS PROVIDED VARIABLE REMUNERATION (EITHER THROUGH MOVEMENT WITHIN A SALARY RANGE OR IN ADDITION TO BASE SALARY) BASED ON AN ASSESSMENT OF DEGREE OF ACHIEVEMENT ACCOMPLISHMENTS AND PROGRESS TOWARD PRE-DETERMINED GOALS AND OBJECTIVES.

TERMINATION WITH CAUSE – TERMINATION OF EMPLOYMENT BASED ON A REPUDIATION OF THE EMPLOYMENT CONTRACT E.G. SERIOUS MISCONDUCT, BREACH OF TRUST, INSUBORDINATION, CONFLICT OF INTEREST, BREACH OF HARASSMENT/HUMAN RIGHTS POLICY, FRAUD

TERMINATION WITHOUT CAUSE – TERMINATION OF EMPLOYMENT AT THE DISCRETION OF AN EMPLOYER THAT IS NOT DONE IN AN ARBITRARY MANNER, WHERE THERE ARE INSUFFICIENT GROUNDS TO SUBSTANTIATE A WITH CAUSE TERMINATION

COMMON LAW - LAW DEVELOPED THROUGH DECISIONS OF COURTS AND SIMILAR TRIBUNALS, RATHER THAN THROUGH LEGISLATIVE STATUTES OR EXECUTIVE ACTION.

CORPORATE POLICY AND PROCEDURE



POLICY No.

PAGE

1 of 1

EFFECTIVE DATE

SUPERSEDES

Procedure for Hiring the Chief Administrative Officer (CAO)

1. The recruitment of a CAO reporting to Council will include a thorough and comprehensive analysis of the position requirements and a thorough assessment of the skills, experience, knowledge and qualifications of both **internal** and **external** candidates.
2. The Search Committee shall be comprised of the Mayor and four Chairs of the Standing Committees, or delegates, to a maximum of 6 individuals (i.e. the Mayor, Chairs of four Standing Committees and optional community member). Due to the importance of this position to the City of Guelph, consultation with the Executive Team, City staff, and community stakeholders may be initiated and incorporated into the recruitment and selection process.
3. The recruitment process will be determined by the Search Committee with the assistance of a recruitment consultant and/or recruitment search firm. The position will be advertised both internally and externally.
4. Based on the results of an RFP, the Search Committee will recommend a preferred recruitment consultant and/or recruitment search firm to Council for approval. Selection of a recruitment consultant and/or recruitment search firm will be consistent with the City of Guelph's purchasing policy.
5. The recruitment consultant and/or recruitment search firm will screen prospective candidates and develop a short list of candidates to be interviewed by the Search Committee.
6. Appropriate further testing and evaluations as required will be completed, along with reference verification.
7. Based on the results of testing, evaluation, reference checking and input and evaluation, the Search Committee will make a recommendation on a preferred candidate to Council.
8. A summary of the process, the overall evaluations of all candidates and the final decision will be presented by the Search Committee to Council prior to offering the position to the candidate.

Chief Administrative Officer Position Profile

PROFILE

The CAO candidate must possess a progressive track record of success in a leadership role within a multi stakeholder organization. The ideal candidate will have significant and varied leadership and executive experience.

- A strategic communicator; able to adapt and tailor the conversation / presentation to a variety of audiences and contexts; understands the importance of both formal and informal communications.
- Ability to break down organizational silos and exhibit a strong horizontal style of leadership - lead initiatives across the organization, rather than using the more traditional up and-down approach.
- Talented broker and strategic negotiator in both an "at the table" sense as well as behind the scenes.
- An entrepreneurial, transformational leader who has the ability to vision and explore innovative service delivery models.
- A bold decision maker, who is not afraid to make a mistake and have the ability to learn from it. Track record as a decision maker - absolute results oriented and performance driven; links short term actions and long term goals.
- Believes in and drives for results and accountability at all levels; pragmatic, believes in delegating responsibility and holding individuals accountable for results/performance; encourages the establishment of high standards and stresses the importance of continuous improvement; is prepared to ask tough questions and address sub-standard performance quickly and effectively; assumes responsibility for decisions / results.
- Excellent interpersonal skills, capable of relating effectively to a diverse range of people, personalities and styles (both internal and external) - demonstrated ability to work collaboratively with stakeholder across the City and in establishing and building relationships with all stakeholder groups; an objective sounding board and voice, able to listen to vested interest groups and make objective recommendations that are best for Guelph; ability to speak the 'partners' language, establishing rapport immediately; exhibits a character of integrity and develops trust easily; willingly accepts the trust delegated by Council.
- Exhibits a "Boardroom" presence - credible and articulate, able to present and sell concepts and plans to Council, the Executive Team and other external stakeholders.
- Track record of building strong teams; demonstrates the ability to energize, motivate and lead an organization to achieve objectives; demonstrates the ability to build a sense of confidence and consensus, and create a positive and constructive work environment; sensitive to team needs, shows honesty and genuine interest in their concerns, avoids arrogance and defensiveness, develops sound solutions or approaches; requests, listens, and responds to feedback.
- A solid strategic visionary and implementer of plans; experience in the development of strategic plans including developing operational priorities and associated resource allocation requirements - ability to translate strategic vision into plans for implementation and execution.

- Enhanced analytical problem solving skills; an ability to think critically; a realist who exhibits a common sense approach to problem resolution.
- High energy level, a self-starter who exhibits high adaptability and flexibility to changing systems, conditions, or priorities; responds quickly to requests, meets deadlines and budgets.
- Utilizes a variety of management styles, depending on the situation, with a capacity to facilitate groups through issues; leads by example; action oriented, generates original and innovative ideas and solutions – a continuous improvement perspective; high tolerance for change.
- Has a solid personal awareness – capacity to build an executive team to capitalize on strengths and minimize limitations.
- Wants to have fun and enjoy their role in the community - has a sense of humour.

CORE COMPETENCIES

- **Strategic Orientation**
The ability to link long-range vision and concepts to daily work. Strategic orientation moves from understanding business fundamentals and strategies to a sophisticated awareness of the impact of the external environment on strategies and how external factors affect choices.
- **Shaping the Organization**
The ability to work effectively within structures, stakeholders and relationships within the City. The ability to identify the decision-makers and the individuals who can influence them and work with them to achieve objectives. The ability to predict how new events or situations will affect individuals and groups both within and external to the City and to utilize that knowledge to achieve the organization's objectives.
- **Leadership**
The ability to create and communicate a vision and engage others in its achievement. It is the ability to demonstrate behaviours that model and support the organization's aspirations and values and ensure its success.
- **Leading Change**
The ability to initiate, facilitate or implement change. Helping staff and stakeholders understand what the change means to them, building a shared vision and providing the ongoing guidance and support which will generate and maintain enthusiasm and commitment to the change process:
- **Political Acuity**
Dealing with the culture of the City. Navigating the formal and informal channels and networking with Council, the Executive Team, management groups, the media and the private sector.
- **Innovation**
An effort to enhance performance by being creative, promoting new ideas and introducing new solutions or processes.

- **Communication**
High degree of interpersonal skill, tact and diplomacy. Ongoing contact and dialogue with members of Council and various stakeholders at all levels. External contact with Community stakeholders and partners, the provincial and federal governments, the media and related organizations to provide and exchange information and solve problems. Able to adapt and tailor the conversation / presentation to a variety of audiences and contexts.
- **Relationship Building**
Establishing, building, and maintaining strong and reciprocal relationships and a network of contacts to keep a pulse on the City's, political and internal issues and to make informed decisions. Identifying who to involve and when and how to involve them in order to accomplish objectives and minimize obstacles.
- **Partnering**
Creating an organizational environment that is open to alliances and attracting partnerships. Able to strategically identify and then approach potential partners – understands what's in it" for the other partner. Negotiating and managing the strategic nature of alliances and determining when adjustments, fine tuning or termination of partnerships is required.
- **Customer First Orientation**
A desire to identify and meet/exceed the requirements of both internal AND external customers / clients. Clear emphasis on service to customer groups:
 - Recognizing the variety of "customers" within the City and at all levels of the organization and accommodating their diverse needs;
 - Recognizing the variety of external customers including residents, community groups and other stakeholders.
- **Results Orientation**
The desire or drive to achieve or surpass identified goals. Establishes performance objectives and measures to continuously improve performance and the standard of excellence across the City. Includes innovative or entrepreneurial behaviours.
- **Holding People Accountable**
Ensuring others meet objectives and expectations in an appropriate and effective manner. Ensuring the performance management process is conducted throughout the year. Provides clear direction, appropriate tools, resources and authority to support success.
- **Fiscal Accountability**
The ability to effectively manage and optimize human, financial and physical resources, undertake qualitative and quantitative measurement, planning and control of resources to maximize results.
- **Teamwork**
Being part of a team and working co-operatively with others. "Team" is broadly defined as any task or process-oriented group of individuals working towards a common goal.

EMPLOYMENT AGREEMENT

BETWEEN:

NAME

(hereinafter called the “Employee”)

and

THE CORPORATION OF THE CITY OF GUELPH

(hereinafter called “the Employer”)

WHEREAS the *Municipal Act*, S.O. 2001, as amended, authorizes a municipal council to appoint a Chief Administrative Officer (“CAO”);

AND WHEREAS the Employer wishes to employ the Employee and the Employee wishes to accept this employment with the Employer as its Chief Administrative Officer (CAO);

NOW THEREFORE, in consideration of mutual covenants set out in this Agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by each of the Parties, the Parties covenant and agree as follows:

1. Effective Date and Term of Agreement

1.01 Subject to the provisions for earlier termination as hereinafter provided, the term of this Agreement shall begin on *[Insert Data]* and shall terminate at midnight on *[Insert Data]* (to represent length of contract such in years).

1.02 The Employer and the Employee shall give consideration to the renewal of this Agreement during its final year. Each party shall advise the other not later than the last day of *[Insert Data]* (DATE WHICH IS 60 DAYS IN ADVANCE OF LAST DAY OF CONTRACT) whether or not they wish to extend or renew this Agreement and the Parties shall thereafter meet to determine the terms, if any, under which they might be willing to extend or renew this Agreement but neither party shall be obligated to agree to any such renewal or extension and may terminate any renewal discussions at any time in their absolute discretion.

1.03 The term of this Agreement cannot be extended or renewed without a further Agreement in writing under which this Agreement is extended or renewed.

1.04 In the event that the Employer does not wish to exercise its option to renew this Agreement or the Parties cannot agree upon the terms and conditions for the renewal, the Agreement shall terminate at the expiration of the existing term and the Employee will be entitled to receive notice in accordance with Clause 7.02.

2. Duties

2.01 The duties of the Employee shall be those duties set forth in the *Municipal Act* and any amendments thereto, and those duties set forth in City of Guelph By-law Number (2002) – #####, and such other duties as Council may, from time to time, assign. The Employee shall report to the Mayor and City Council.

2.02 The Employee undertakes to fully and faithfully discharge the duties and responsibilities of the Chief Administrative Officer to a high standard of professional competence.

2.03 The Employee will devote the whole of his/her time; effort and attention to the business and well-being of the Corporation of the City of Guelph. Without limiting the generality of the foregoing, the Employee:

- (i) will not engage in or accept any office or position or business that might interfere with the business and well-being of the Employer, except with the prior written consent of Council; and
- (ii) will not engage in or accept any office or position or business for gain, except with the prior written consent of Council.

2.04 At the initiative of the Mayor of the City of Guelph, the performance of the Chief Administrative Officer shall be reviewed annually, at a minimum, by a designated committee of Councillors, inclusive of the Mayor as Chair of said committee. The performance evaluation shall be conducted in a manner generally consistent with the performance evaluation process employed for all senior management of the Employer. The completed written performance evaluation shall be confidential and it shall include goals and expectations for the following year.

3. City Policies

3.01 Except as specifically provided for in this Agreement, the terms and conditions of the Chief Administrative Officer's employment shall be governed by the Employer's human resource policies and practices.

4. Remuneration

Salary

4.01 Effective (insert date) the Employer will pay the Employee an annual salary of (insert amount) (subject to any deductions required under the Employer's policies and by law). The Employee's salary will be reviewed annually to ensure that the range remains competitive at the Council approved competitive position (i.e. currently at the 55th percentile of the Council approved municipal comparator group). Future increases where required to maintain the Council approved competitive position will be reviewed and approved by Council. The Parties further agree that if the City implements a Pay for Performance Program, then the Employee would be eligible to participate in this program. The Employee will move through the salary range annually on the anniversary date of the appointment to the CAO position, subject to satisfactory performance.

Benefits

4.02 The Employee will be entitled to participate in all health, disability, insurance, and any other employee benefit plans and programs of the Employer in effect for senior staff in

accordance with the terms of those plans and policies and which may be subject to change by the Employer from time to time.

Automotive Allowance

4.03 The Employee will receive an automotive allowance of *[Insert Data]* per month as compensation for the use of his/her personal vehicle for business purposes. This allowance will be reviewed and updated on a yearly basis in accordance with the Employer's Automotive Expense Reimbursement Policy.

Parking

4.04 The Employee will be provided with a reserved parking space for one vehicle.

Moving Allowance

4.05 The Employee shall be provided with a one-time moving allowance to recompense the Employee for costs related to his/her relocation to the City of Guelph. These costs may include but are not limited to the sale and purchase of homes, temporary relocation and moving costs. The payment of this one-time moving allowance will be made in accordance with the following schedule:

- A maximum *[Insert Data]* if the Employee's residency in Guelph commences within the first *[Insert Data]* months of this Agreement, OR
- A maximum of *[Insert Data]* if residency in Guelph commences after the first *[Insert Data]* months and before the first *[Insert Data]* months of this Agreement.

The Employee shall provide receipts proving any such expenses to the satisfaction of the City Treasurer. In the event that the employment of the Employee is terminated for cause or as a result of his/her resignation, during the first two (2) years following the payment of such allowance, the said moving allowance shall be fully refunded by the Employee.

Professional Memberships

4.06 The Employer agrees to maintain at no cost to the Employee, his/her membership in the following professional organizations:
[Insert Data]

5. Confidentiality and Contract Details

5.01 - It is understood that the salary range of this position and policies governing benefits for management employees of the Employer are a matter of public record. The Employee acknowledges that this contract may be subject to an access request under the Municipal Freedom of Information and Protection of Privacy Act, and that those provisions of the agreement that are not deemed to be personal information will be released by the Employer. Prior to releasing any details of this contract that are not deemed to be personal information, the Employer shall first inform the Employee of its intention to do so.

6. Vacation/Overtime

6.01 The Employee will be entitled to *[Insert Data]* weeks paid vacation per year of employment.

6.02 The Employee will not be compensated for any overtime save and except the Employee will be entitled to one (1) week in lieu of all overtime worked in a year, in accordance with the City of Guelph's compensation policy for Senior Management to be attached in Appendix C (upon hire of CAO).

7. Termination

(A) With Cause

7.01 The Employer may terminate the Employee's position, without notice, at any time, for "just cause". The Employee's employment and rights under this Agreement shall terminate on the day that notice of termination is delivered. Upon termination for just cause, the Employee shall be paid all unpaid salary owing to the date of termination. No further payments will be made by the Employer and all of the Employer's obligations under this Agreement shall cease.

(B) Without Cause

7.02 At any time during the term of this Agreement, the Employer may, at its sole discretion, terminate the Employee for any reason, without cause. If the Employee's employment is terminated in accordance with this provision, the Parties agree as follows:

- (i) the Employer will continue to pay the Employee's base salary for a period of *[Insert Data]* months, plus one (1) month for each year completed during the term of this Agreement up to a maximum of *[Insert Data]* months. This payment will be made from the date of termination, payable in bi-weekly instalments on the normal payroll day;
- (ii) with the exception of short-term and long-term disability benefits, and the automotive allowance, the Employer will continue the Employee's employment benefits, including pension contributions, throughout the notice period in which the Employer continues to pay the Employee's salary. The Employer will continue the Employee's short term and long term disability benefits as per the minimum requirements set out in the *Employment Standards Act, 2000*. The automotive allowance will cease on the effective date of termination.
- (iii) all payments provided under this paragraph will be subject to all deductions required under Employer's policies and by law.
- (iv) Any future entitlement to salary continuation terminates immediately upon the death of the Employee.

(C) Voluntary Resignation

7.03 The Employee may voluntarily resign from his/her position as Chief Administrative Officer by providing the Employer with at least eight (8) weeks' written notice. Upon being provided with said notice of resignation, the Employer may, by Resolution, waive or reduce this period and may require the Employee to cease work at any point within the eight (8) week period. Upon receiving the Employee's notice of resignation, the Employer will pay the Employee all unpaid salary to the proposed date of resignation.

8. Return of Property

8.01 All equipment, material, written correspondence, memoranda, communication, reports, or other documents pertaining to the business of the Employer used or produced by the Employee in connection with his/her employment, or in the Employee's possession or control, shall at all times remain the property of the Employer. The Employee shall return all property of the Employer in his/her possession or control in good condition within one (1) week of a request by the Employer, or within one (1) week of the termination or resignation of the Employee.

9. Entire Agreement

9.01 This Agreement constitutes the entire Agreement between the Employee and the Employer. This Agreement may not be modified or amended except in writing by Resolution of the Employer with the agreement of the Employee.

10. Severability

10.01 If any provision of this Agreement is held to be illegal, invalid or unenforceable by any competent authority, such illegality, invalidity or unenforceability shall not in any manner affect or render illegal, invalid or unenforceable any other provision of this Agreement.

11. Release and Acknowledgement

11.01 The Employee acknowledges and agrees that the consideration contained in this Agreement is inclusive of any and all compensation, payments, notice, pay in lieu of notice or severance payments to which he/she may be entitled under the *Employment Standards Act, 2000* and any other applicable legislation, common law, or otherwise. The Employee further acknowledges and agrees that the consideration herein is fair and reasonable. The Employee agrees that upon any termination of his/her employment by the Employer, the Employee shall have no cause of action, claim or demand against the Employer, including its successors, predecessors, and all affiliated entities, and the Mayor, Councillors, Officers, Directors, Employees and agents thereof, as the case may be, for any matter related to the Employee's employment or the termination of or resignation from said employment, and the Employee hereby releases and discharges the Employer, including its successors, predecessors, and all affiliated entities, and the Mayor, Councillors, Officers, Executive Directors, Employees and agents thereof, as the case may be, from any and all liability related to his/her employment on the termination of or resignation from said employment other than for his/her entitlements as set out herein, including wrongful dismissal.

12. Assignment of Rights

12.01 The rights and obligations of the Employer under this Agreement shall pass and be binding upon its successors. The Employee's rights under this Agreement are not assignable or transferable in any manner without the consent of the Employer.

13. Notices

13.01 Any notice required or permitted to be given to the Employee shall be sufficiently given if delivered to the Employee personally, delivered by facsimile transmission (with confirmation of receipt) or if mailed by ordinary or registered mail to the Employee's address last known to the Employer. Service shall be effective on the fifth day after mailing.

13.02 Any notice required or permitted to be given to the Employer shall be sufficiently given if delivered or mailed to the Mayor or Clerk by ordinary or registered mail to the City of Guelph and shall be effective on the fifth day after mailing.

14. Applicable Law

14.01 This Agreement shall be governed by and construed in accordance with the laws applicable in the Province of Ontario by a court of competent jurisdiction.

15. Independent Legal Advice

15.01 the Employee acknowledges that he/she has had the opportunity to obtain independent legal advice before executing this Agreement and acknowledges that he/she fully understands the nature of the Agreement, which the Employee voluntarily enters into. The Employer agrees to compensate the Employee, up to a maximum of five hundred (\$500.00) dollars, for the cost of legal advice obtained by him/her in this regard.

DATED at Guelph this *[Insert Data]* day of *[Insert Data]*, 2008.

SIGNED, SEALED AND DELIVERED

Witness

The Employee

Mayor

Clerk

CORPORATE POLICY AND PROCEDURE



POLICY No.

PAGE

1 of 2

EFFECTIVE DATE

JANUARY 28, 2008

REVISION

Tab	CITY COUNCIL
Subject	DELEGATION OF CAO DUTIES
Related Policies	Procedure for Hiring the CAO
Approved by	Council, January 28, 2008
Review Date	Beginning of New Term of Council

POLICY STATEMENT The City Council acknowledges that it is responsible for ensuring the effective management of the Corporation.

PURPOSE The purpose of this policy is to establish roles and responsibilities with respect to the delegation of CAO duties.

DEFINITIONS **Chief Administrative Officer (CAO)**
Long-term contractual position reporting directly to City Council.

Acting CAO
Short-term (less than 1 month) appointment to carry out the duties of CAO for a specific period of time due to an absence of the CAO.

Interim CAO
Appointment to carry out the duties of CAO for a specific period of time due to a vacancy in the CAO position.

Assistant CAO
Added temporary administrative responsibilities to an Executive Director/Member of the Executive Team (ET), to assist the CAO in the administration of the Corporation. This appointment is for a specified period of time to enable the CAO to engage in corporate business opportunities, sabbaticals/leaves and/or mentoring program for members of ET.

POLICY REQUIREMENTS **Acting CAO**
Guelph City Council delegates authority to the CAO to appoint an Acting CAO.

Interim CAO
Guelph City Council appoints the Interim CAO.

Assistant CAO
Guelph City Council delegates authority to the CAO to appoint an assistant CAO as described in the "Procedure for Appointing an Assistant CAO".

**Procedure for Appointing an Assistant CAO
Who Reports Directly to the Chief Administrative Officer (CAO)**

1. The authority to appoint an Assistant CAO is delegated to the CAO.
2. The purpose of the Assistant CAO is to enable the CAO to engage in corporate business opportunities, sabbaticals/leaves and/or mentoring programs for members of the Executive Team.
3. Added temporary administrative responsibilities will be assigned by the CAO to an Executive Director/Member of the Executive Team to assist the CAO in the administration of the Corporation.
4. The CAO will advise Council of the candidate and purpose and term of the appointment prior to appointing an Assistant CAO.

Council Caucus Room
November 2, 2011 5:30 p.m.

A meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. C. Clack, Interim Executive Director of Community & Social Services; and Ms. T. Agnello, Acting Clerk

1. Moved by Councillor Hofland
Seconded by Councillor Guthrie
THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

Non-Union Employee Compensation - 2012

S. 239 (2) (d) Labour relations or employee negotiations.

Chief Financial Officer Update

S. 239 (b) Personal matters about an identifiable individual.

Carried

The meeting adjourned at 5:31 o'clock p.m.

.....
Mayor

.....
Acting Clerk

Council Caucus Room
November 2, 2011 5:32 p.m.

A meeting of Guelph City Council closed to the public.

Present: Mayor Farbridge, Councillors Bell, Burcher (arrived at 5:50 p.m.), Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. C. Clack, Interim Executive Director of Community & Social Services; and Ms. T. Agnello, Acting Clerk

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations.

Labour Relations or Employee Negotiations

1. Moved by Councillor Hofland
Seconded by Councillor Laidlaw
Mr. M. Amorosi THAT the report of the Executive Director of Corporate and Human Resources dated November 2, 2011, regarding Non-Union Compensation for 2012 be received.

Carried

Personal Matters About an Identifiable Individual

The Chief Administrative Officer provided a verbal update.

The meeting adjourned at 5:55 o'clock p.m.

.....
Mayor

.....
Acting Clerk

Council Chambers
November 2, 2011

Council reconvened in formal session at 6:00 p.m.

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. C. Clack, Interim Executive Director of Community & Social Services; Ms. S. Aram, Acting City Treasurer; Ms. T. Agnello, Acting Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

The Mayor reviewed the budget process to date and outlined the process for the adoption of the 2012 Tax Supported Operating Budget.

The Chief Administrative Officer introduced the 2012 Tax Supported Operating Budget. She advised that the proposed budget achieves the 3% guideline set by Council and focused on affordability. She highlighted the innovative projects included in the proposed budget and the challenges faced. She also highlighted the growth related items and new services in the various areas not funded.

The Acting City Treasurer outlined the breakdown of the use of the municipal tax dollars and advised that Council has control only over 65% of the budget. She provided a history of the tax increases since 2004 and a financial comparison overview with other municipalities relating to household income and various residential property taxes. She provided information on operating related reserves, the total annualization and impact from capital costs, general expenditures, capital financing and cross charges along with general revenues and grants.

The Executive Director of Corporate & Human Resources provided information on compensation, benefits and training impacts on the budget.

The Executive Director of Planning, Building, Engineering & Environment provided information on purchases goods and services.

The Executive Director of Operations & Transit provided information on the proposed increase to revenues.

The Interim Executive Director of Community & Social services provided information on the quality of life improvements included in the proposed budget.

Staff were asked to provide comparator financial overview information with respect to the other approved comparators.

Ms. S. Aram
Ms. C. Clack
Mr. D. McCaughan

1. Moved by Councillor Findlay
Seconded by Councillor Hofland
THAT the matter with respect to including the affordable bus pass in the amount of \$256,200 in the 2012 operating budget be referred to staff to report back on how this program could be included in the 2012 operating budget and the impacts of including this program.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Councillor Kovach was not present in the Council Chambers when the vote was taken.

Carried

Ms. S. Aram
Mr. I. Panabaker

2. Moved by Councillor Burcher
Seconded by Councillor Laidlaw
THAT the matter with respect to an increase in the amount of \$100,000 for the Downtown Improvement Program be referred to staff to report back on the impact of including this in the 2012 operating budget;

AND THAT staff include the estimate of increase to the assessment base when reporting back.

VOTING IN FAVOUR: Councillors Bell, Burcher, Furfaro, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (8)

VOTING AGAINST: Councillors Dennis, Findlay, Guthrie, Kovach and Mayor Farbridge (5)

Carried

Ms. S. Aram
Mr. D. McCaughan

3. Moved by Councillor Burcher
Seconded by Councillor Bell

THAT staff be directed to investigate and report back whether funding of \$100,000 could be included in the 2012 operating budget for the Comprehensive Parking Strategy.

VOTING IN FAVOUR: Councillors Bell, Burcher, Furfaro, Guthrie, Laidlaw, Van Hellemond and Mayor Farbridge (7)

VOTING AGAINST: Councillors Dennis, Findlay, Hofland, Kovach, Piper and Wettstein (6)

Carried

4. Moved by Councillor Laidlaw
Seconded by Councillor Hofland

THAT the matter of reinstating \$123,000 to Training and Development in the 2012 Operating Budget be referred back to staff.

VOTING IN FAVOUR: Councillors Burcher, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: Councillor Bell, Dennis, Findlay, Furfaro, Guthrie, Kovach, Van Hellemond and Wettstein (8)

Defeated

5. Moved by Councillor Piper
Seconded by Councillor Burcher

THAT the Zoning Inspector for Shared Rental Housing in the amount of \$120,900 be referred back to staff to investigate how the position could be included in the 2012 operating budget with the possibility of the position commencing at an appropriate time such as midyear.

VOTING IN FAVOUR: Councillors Burcher, Dennis, Guthrie, Piper and Wettstein (5)

VOTING AGAINST: Councillors Bell, Findlay, Furfaro, Hofland, Kovach, Laidlaw, Van Hellemond, and Mayor Farbridge (8)

Defeated

6. Moved by Councillor Wettstein
Seconded by Councillor Burcher

THAT the position of Manager – Internal Audit in the amount of \$132,700 be referred to staff to provide additional information on including this position in the 2012 operating budget.

Ms. S. Aram

VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Guthrie, Hofland, Laidlaw, Piper, Wettstein and Mayor Farbridge (9)

VOTING AGAINST: Councillors Bell, Furfaro, Kovach and Van Hellemond (4)

Carried

Ms. S. Aram

7. Moved by Councillor Burcher

Seconded by Councillor Hofland

THAT the 2012 Tax Supported Operating Budget with a net levy requirement of \$174,629,567 be received for information.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

ADJOURNMENT

The meeting adjourned at 7:45 o'clock p.m.

Minutes read and confirmed November 28, 2011.

.....
Mayor

.....
Acting Clerk

Council Caucus Room
November 7, 2011 5:00 p.m.

A meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Van Hellemond and Wettstein

Absent: Councillors Burcher and Piper

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. D. McCaughan, Executive Director of Operations & Transit; Mr. M. Amorosi, Executive Director of Corporate and Human Resources; Ms. C. Clack, Interim Executive Director, Community & Social Services; Ms. D. Jaques, General Manager, Legal/Realty Services/City Solicitor; Mr. J. Stokes, Manager, Realty Services; Ms. B. Powell, General Manager of Community Engagement and Social Services; and Ms. T. Agnello, Acting City Clerk

1. Moved by Councillor Furfaro
Seconded by Councillor Laidlaw

THAT as a matter which is time sensitive and needs to be dealt with immediately, has just recently come up for Council's Consideration;

AND THAT the rules of order be suspended to allow a matter with regarding Proposed or pending Acquisition or disposal of land, specifically with respect to " Possible lease of space for Municipal Daycare" to be added to the closed Council agenda by waiving Section 5 of Procedural By-law regarding Public notice.

Carried

2. Moved by Councillor Hofland
Seconded by Councillor Findlay

THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

County of Wellington Litigation

S. 239 (2) (e) Litigation or Potential Litigation, including matters before Administrative Tribunals.

Wellington Dufferin Guelph Public Health

S. 239 (2) (e) Litigation or Potential Litigation, including matters before Administrative Tribunals.

**Possible Lease of Space for Municipal Daycare
58 Dawson Road**

S. 239 (2) (a) Security of the property of the
Municipality

CAO Performance Objectives

S.239 (2) (b) Personal matters about an
identifiable individual

Carried

The meeting adjourned at 5:04 o'clock p.m.

.....
Mayor

.....
Acting Clerk

Council Caucus Room
November 7, 2011 5:05 p.m.

**A meeting of Guelph City Council closed to the
public.**

Present: Mayor Farbridge, Councillors Bell, Burcher,
Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach,
Laidlaw, Piper (arrived at 5:19pm), Van Hellemond and
Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative
Officer; Dr. J. Laird, Executive Director of Planning &
Building, Engineering and Environment; Mr. D.
McCaughan, Executive Director of Operations & Transit;
Mr. M. Amorosi, Executive Director of Corporate & Human
Resources; Ms. C. Clack, Interim Executive Director, Ms.
D. Jaques, General Manager, Legal/Realty Services/City
Solicitor; Mr. J. Stokes, Manager, Realty Services; Ms. B.
Powell, General Manager of Community Engagement and
Social Services; and Ms. T. Agnello, Acting City Clerk

**DECLARATIONS UNDER MUNICIPAL CONFLICT OF
INTEREST ACT**

There were no declarations.

WELLINGTON TERRACE LITIGATION (*litigation or potential litigation*)

The General Manager of Legal/Realty Services/City Solicitor provided council with an update.

1. Moved by Councillor Bell
Seconded by Councillor Findlay
THAT staff be given direction with respect to Wellington Terrace litigation.

Defeated

Ms. D. Jaques

2. Moved by Councillor Laidlaw
Seconded by Councillor Burcher
THAT the report from Legal Services, dated November 7, 2011 regarding the litigation between the City and the County of Wellington about Wellington Terrace be received;

AND THAT Staff be given direction with respect to Wellington Terrace litigation.

Carried

WELLINGTON-DUFFERIN-GUELPH PUBLIC HEALTH (*litigation or potential litigation*)

The General Manager of Legal/Realty Services/City Solicitor provided council with an update.

Ms. D. Jaques

3. Moved by Councillor Findlay
Seconded by Councillor Bell
THAT staff be given direction with respect to Wellington-Dufferin-Guelph Public Health litigation.

Carried

4. Moved by Councillor Kovach
Seconded by Councillor Wettstein
THAT the report from Legal Services dated November 7, 2011 regarding the Wellington-Dufferin-Guelph Public Health be received;

AND THAT Council Rise and report from closed session to Council in open session with the following motion for consideration under special resolutions:

PASSED IN
COUNCIL BY

"THAT no action be taken regarding an appeal to the decision released on October 12, 2011

SPECIAL
RESOLUTION

regarding the City's application regarding the Wellington-Dufferin-Guelph Public Health agreement."

Carried

**Possible Lease of Space for Municipal Daycare
58 Dawson Road** *(security of the property)*

The Manager of Realty Services was present and gave an overview of the report.

5. Moved by Councillor Findlay
Seconded by Councillor Furfaro
THAT the report of the Manager of Realty Services entitled "Possible Lease of Space for Municipal Daycare – 58 Dawson Road" dated November 7, 2011 be received for information.

AND THAT Council Rise and report from closed session to Council in open session with the following motion for consideration under special resolutions:

PASSED IN
COUNCIL
BY SPECIAL
RESOLUTION

"THAT the Mayor and Clerk be authorized to execute a lease for a municipal daycare facility at 58 Dawson Road, subject to the terms and conditions of the lease being satisfactory to the City Solicitor and the Executive Director of Corporate and Human Resources.

AND THAT the Mayor and Clerk be authorized to execute a Provision of Service Agreement between the County of Wellington and the City in regard to the daycare facility at 58 Dawson Road."

Carried

The Meeting recessed at 6:55 pm and reconvened at 10:55 pm.

CAO PERFORMANCE OBJECTIVES *(personal matters about an identifiable individual)*

1. Moved by Councillor Piper
Seconded by Councillor Laidlaw
THAT the CAO Performance objectives be received as amended.

Ms. A. Pappert

Carried

The meeting adjourned at 11:05 o'clock p.m.

.....
Mayor

.....
Acting Clerk

Council Chambers
November 7, 2011

Council reconvened in formal session at 7:00 p.m.

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. J. Riddell, General Manager, Planning & Building Services; Ms. T. Agnello, Acting City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

Councillor Burcher declared a possible pecuniary interest with regard to Proposed Official Plan Amendment 43: Downtown Guelph Secondary Plan as she owns property in the downtown that could be affected and did not discuss or vote on the matter.

CONSENT AGENDA

The following items were extracted from the November 7, 2011 Consent Agenda to be voted on separately:

- A-2 Amendment Number 1 to the 2010
Downtown Guelph Community Improvement
Plan

1. Moved by Councillor Furfaro
Seconded by Councillor Laidlaw

THAT the balance of the November 7, 2011 Council
Consent Agenda as identified below, be adopted:

a) **312-316 Grange Road – Creekside Subdivision (23T-07502) – Request for an Extension of Draft Plan Approval**

Ms. A. Clos
Dr. J. Laird
Mr. J. Riddell
Ms. S. Aram
Ms. D. Jaques
Mr. M. Amorosi

THAT Report 11-96 dated November 7, 2011 regarding a request for a Draft Plan Approval extension for the subdivision at the property municipally known as 312-316 Grange Road (23T-07502) from Planning & Building, Engineering and Environment, be received;

AND THAT the application by Astrid J. Clos Planning Consultants for an extension to the Draft Plan Approval of the subdivision at 312-316 Grange Road (23T-07502) applying to lands legally described as Lot 8, Registered Plan 53, Division "C", City of Guelph, be approved for a three (3) year period to an extended lapsing date of January 12, 2015, subject to the conditions attached hereto as Attachment 1.

b) **Potential Sale of City Owned Land – Hanlon Creek Business Park – Phase 1**

Mr. P. Cartwright
Ms. D. Jaques
Ms. S. Aram
Mr. M. Amorosi

THAT the Mayor and Clerk be authorized to execute an amending Option Agreement regarding the potential sale of City-owned land in the Hanlon Creek Business Park Phase 1 to Guelph Hydro Inc., as described in the report of November 7th, 2011 which has been prepared by Economic Development and Tourism Services, subject to the amending Option Agreement's format and content being satisfactory to the General Manager of Economic Development and Tourism as well as the General Manager of Legal Services/City Solicitor;

AND THAT the Mayor and Clerk be authorized to execute an Agreement of Purchase and Sale should Guelph Hydro Inc. exercise its option to purchase the property described in the staff Council report of May 3rd, 2011, subject to the Agreement of Purchase and Sale's format and content being satisfactory to the General Manager of Economic Development and Tourism as well as the General Manager of Legal Services/City Solicitor.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

PLANNING PUBLIC MEETING

Mayor Farbridge announced that in accordance with The Planning Act, Council was now in a public meeting for the purpose of informing the public of various planning matters. The Mayor asked if there were any delegations in attendance with respect to planning matters listed on the agenda.

PRESENTATIONS

Proposed Official Plan Amendment 43: Downtown Guelph Secondary Plan

Councillor Burcher left her chair and did not speak or vote on the matter.

Mr. T. Salter, Manager of Policy Planning & Urban Design provided a brief overview of the process to date for the Downtown Secondary Plan.

Mr. David de Groot, Urban Designer, reviewed the visions and principles used to implement the plan. He summarized the key targets. He addressed the following areas of focus of the Downtown Secondary Plan:

- economic development – potential catalysts;
- mobility – a network for all modes;
- the public realm, heritage and community services;
- energy, water and the natural environment;
- land use and built form;
- height parameters;
- controlling the massing of tall buildings;
- special policies for the Ward.

He outlined the key implementation tools and initiatives and next steps.

DELEGATIONS

Mr. Lee Piccoli, Fusion Homes, stated their proximity to the amenities downtown helps promote pedestrian, and bicycle traffic. He also stated they plan to make the most of the heritage aspects and the size of the property.

Mr. Dan Leeming, planner, agrees with the broad vision of the downtown core and believes the changes are necessary to keep downtown vital. He stated they have discovered some concerns surrounding height, density and parking. He stated that under the current regulations, the property at 5 Arthur Street cannot meet requirements due to bedrock, parking needs and flood plain. He supported bonusing provisions being proposed.

Ms. Pam Kraft, on behalf of Arthur EMPC Four Limited, advised of their progress to date and their plan to deal with the remediation program. She stated they have communicated with their neighbours and have been involved with the Downtown Secondary Plan process. She stated they are requesting more flexibility to address potential changes that could occur. She agrees with the design principles, but some restrictions limit creative options.

Mr. Marty Williams, on behalf of the Downtown Guelph Business Association (DGBA), stated they have provided comments on an earlier draft and believe their concerns have been addressed. He stated the DGBA supports the view of the Downtown Secondary Plan. He stated they are supportive of the parking strategy, the concepts of build beautifully/historically, and active use at street level. He supports post secondary education use in the downtown core and believes it will lead to a vibrant and lively downtown. He stated the DGBA is willing to work with the City and others to make the Downtown Secondary Plan acceptable to all parties.

Dr. Jocelyn Maggs, owner/operator, Guelph Cat Clinic, and Dr. Rob Butler, owner/operator, Guelph Animal Hospital, advised they have been located in the downtown for over 30 years and service over 2,000 clients located within walking distance. They stated they would be willing to work with the City to enhance the green space along the west shore of the Speed River while maintaining their presence in the vicinity. They proposed the following options:

- providing access behind 110 Gordon Street building for a wide walkway behind the current clinics, utilizing the unused part of the back lot which would provide 35 feet at the back;
- moving the clinic's current location one lot over to the south.

Mr. David Nash, owner of 110 Gordon Street, stated he did not receive notice of the Downtown Secondary Plan meeting and has not had adequate time to review the document, discuss with his tenants, or seek legal consultation. He stated the proposed plan will restrict potential tenants and place his existing tenancy in jeopardy. He advised that major expansion plans are now put on hold and changes in use could devalue his property. He also stated he could not find evidence of a pro forma being undertaken. He objects to the implementation of OPA 43.

Ms. Maria Pezzano, on behalf of the Ward Residents Association, stated that they are pleased to see their issues have been addressed. She expressed concern regarding the view corridor being removed. She recommended that in conjunction with the Fountain street expansion that a pedestrian bridge be placed over the Speed River aligned with Fountain Street to connect the Urban Growth Study Area. She would like to see flexibility for mixed use and commercial use increased. She stated that she does not support bonusing and she would like to see some kind of boundary or cap clearly defined in the Plan. She stated there is a need for more discussion.

Mr. Unto Kihlanki, on behalf of INTBAU (International Network for Traditional Building, Architecture, and Urbanism), Guelph Chapter, stated they would like the City to adopt a healthy skepticism towards policies that depart from its city-building traditions. He stated that although there is consideration for the preservation of significant historical buildings and streetscapes, there also needs to be protection of urban tradition from unnecessary structures. He expressed concern about density, and building heights. He stated that his calculations have determined that there is sufficient capacity for 5,000 units without buildings exceeding six stories.

Mr. Wilfred Ferwerda, resident, supports the plan but would like to know the reasoning behind the increase of building heights up to eighteen stories. He does not believe the proposed building heights are required to reach the Places to Grow numbers or that allowing tall buildings will ensure the plan will be successful. He stated the low crime rate, and low unemployment rate, and a stable real estate market are factors drawing people to the Guelph core. He stated that Guelph has a product that people will pay to have despite the restrictions causing the sites to be more costly to develop. He said the Downtown Secondary Plan, the transportation hub, older residents and those from the GTA being interested in living downtown will entice developers to come forward. He does not believe high rises are necessary to reach the Places to Grow numbers and that they will be a catalyst for more high rise buildings. He recommended that the Downtown Secondary Plan be revised by deleting the provision allowing buildings higher than six storeys.

Mr. Uli Walle, downtown business operator, stated he has already seen an increase of people moving into downtown

due to the historical buildings, small town feel and openness. He believes the higher buildings will negatively affect the desire for people to reside in the downtown. He stated that he is concerned that developers will try to get exemptions to build higher structures than the 18 storey and 12-15 storeys proposed. He believes six storeys is sufficient to meet the growth goals. He stated he would like Guelph to not increase the six storey height restriction.

Mr. Lloyd Longfield, Guelph Chamber of Commerce, addressed the issue of placing restrictions to footplates or floor space indexes in the Plan rather than in zoning or by-law documents. He stated this would set a precedence of putting these types of restrictions in an Official Plan and opens the door for OMB appeals. He stated this is not done anywhere else. He believes the higher buildings could act as a catalyst to help meet the growth goals and is needed to stimulate further development in the downtown core. He stated that policies need to be flexible and clearly defined.

Dr. Hugh Whiteley stated he was pleased to see the use of the River System Management Plan as a guide. He endorses the two new riverside parks. He suggested the following:

- that specialized zoning be applied to the two areas where public space along the Speed River is restricted or absent
- designate a riverside park use for the portion of the west bank of the Speed River from Wyndham Street to the existing Royal City Park;
- integrate the former Rockwell site on Wellington Street with the adjoining corner property;
- change the south boundary of the Rockwell property that would result in it being parallel to the river rather than parallel to Wellington Street.

Mr. Mike Abdullah, owner, IDA Pharmacy, would like to know what is planned for the property where his business is located.

Mr. Ken Chasse, a resident and operator of business just outside the downtown area, recommends incentives to increase walkable spaces. He believes the use of St. George's Square needs to be reviewed. He does not see the value of parking lots having sidewalk frontage. He would like the City to encourage future development by moving commercial spaces to the second floor and putting retail on the first floor to generate more foot traffic.

Ms. Leanne Johns, a resident within the outlying neighbourhood would like the City to consider walkability issues including traffic, noise, and parking.

Staff will:

- meet with delegates regarding river access;
- consider affordability issues;
- review height restrictions for Royal Suites;
- determine the balance of diversity of types of units;
- consider the impact of the railroad running through high density sites and determine limitations of types of goods transported through downtown
- consider the fire safety issues and effects on the fire department's infrastructure;
- develop synergy between the Downtown Secondary Plan and the Official Plan
- establish urban design criteria and address aesthetic issues;
- address concerns for existing businesses regarding expropriation issues;
- address the comments submitted by Dr. Whiteley.

2. Moved by Councillor Findlay
Seconded by Councillor Dennis

Dr. J. Laird

THAT the Planning & Building, Engineering and Environment Report No. 11-98 entitled Proposed Official Plan Amendment 43: Downtown Guelph Secondary Plan, dated November 7, 2011, be received.

Councillor Burcher did not vote on the matter.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

The meeting recessed at 9:45 p.m. and reconvened at 9:55 p.m.

115 Fleming Road, Proposed Draft Plan of Subdivision and Zoning By-law Amendment (23T-1101/ZC1102) – Ward 1

Mr. C. DeVriendt, Senior Development Planner, advised this is the second public meeting for this application. He stated the application would allow for 62 on-street townhouses instead of the previously proposed 24 on-

street townhouses and 45 cluster townhouse units. He also stated that an extension of Law Drive and Pettitt Drive replace the previous private road system. He said the proposed changes to the zoning by-law include:

- a minimum lot area per dwelling unit of 150 square meters (in lieu of 180);
- a minimum exterior side yard setback of 3.2 metres (in lieu of 4.5m);
- a maximum building coverage of 50% (in lieu of 40%);
- a minimum lot frontage of 6 metres (in lieu of 18).

Mr. Helmuth Strobel, applicant, advised they have worked with City staff and their neighbor to the south to make the development freehold and reduced the number of units. He stated the CEP will be considered as well as building towards an Energy Star level. He noted that the new Ontario Building Code will be requiring energy star efficiencies. He will also give consideration to Blue Build requirements.

3. Moved by Councillor Findlay

Seconded by Councillor Burcher

Dr. J. Laird
Mr. J. Riddell

THAT Report 11-94 regarding applications for a Draft Plan of Subdivision approval and a Zoning By-law Amendment to permit the development of 62 on-street townhouse units, applying to property municipally known as 115 Fleming Road, and legally described as Part Lot 11, Plan 468, City of Guelph, from Planning & Building, Engineering and Environment, dated November 7, 2011, be received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Amendment Number 1 to the 2010 Downtown Guelph Community Improvement Plan

Mr. Ian Panabaker, Corporate Manager, Downtown Renewal, stated that the changes being proposed are administrative in nature and not policy related so they are requesting a decision later in the meeting. He outlined the Downtown Community Improvement Plan process to date and advised of next steps. He explained the 2010 Downtown Guelph CIP Programs and stated the amendment being proposed is to separate program details into 'Implementation Guidelines' to allow program

design changed without requiring a full Planning Act process. He advised of the next steps and said they are proposing the programs in abstract form only at this time. He said the other amendment affects the plan area where they propose to install Official Plan Amendment 39 – urban growth center area as the Community Improvement Plan area to align the Downtown Community Improvement Plan and the Urban Growth Strategy.

Mr. John Farley, Creating Homes, on behalf of Gordon Street, Market Commons, provided a description of the property and upcoming plans. He said that in order for the project to happen, they need the Community Improvement Plan. He stated developers need tools to make projects financially feasible. He said that the private sector investment under the major downtown activation grant program and tax increment based grant will allow them to proceed.

Mr. Jeremy Frieburger, Executive Director, Imperial Cotton Centre for the Arts said he has begun working with Guelph Arts and believes the incentives can help the community developers, and non-profit groups. He stated that in Hamilton, the various incentive programs led to major development in the downtown core and led to an increase in locally owned and operated businesses, and maintaining and renovation of heritage buildings.

Dr. Hugh Whiteley requested the boundary of the Rockwell property to be adjusted so all of the property is included within the downtown boundary and could be developed accordingly.

Staff advised that any properties that straddle the boundary lines will be included for eligibility of programs.

4. Moved by Councillor Laidlaw
Seconded by Councillor Piper

Ms. A. Pappert
Mr. I. Panabaker

THAT the report 11-04 regarding the proposed amendments to the 2010 Downtown Guelph Community Improvement Plan, prepared by the Downtown Renewal Office, dated November 7, 2011, be received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Amendment Number 1 to the 2010 Downtown Guelph Community Improvement Plan

Ms. A. Pappert
Mr. I. Panabaker

5. Moved by Councillor Findlay
Seconded by Councillor Dennis
THAT the report 11-09 regarding the Amendment Number 1 to the Downtown Guelph Community Improvement Plan, prepared by the Downtown Renewal Office, dated November 7, 2011, be received;

AND THAT Amendment Number 1 to the Downtown Guelph Community Improvement Plan, dated November 7, 2011, attached hereto as Attachment 2, be adopted;

AND THAT staff bring forward a new City by-law to enact the enlarged Downtown Guelph Community Improvement Project Area at a subsequent Council meeting following the approval of Amendment Number 1.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: Councillor Kovach (1)

Carried

BY-LAWS

6. Moved by Councillor Dennis
Seconded by Councillor Findlay
THAT By-law Number (2011) – 19294 is hereby passed.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

SPECIAL RESOLUTIONS

Wellington-Dufferin-Guelph Public Health Agreement

Ms. D. Jaques

7. Moved by Councillor Kovach
Seconded by Councillor Piper
THAT no action be taken regarding an appeal to the decision released on October 12, 2011 regarding the

City's application regarding the Wellington-Dufferin-Guelph Public Health agreement.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Mayor Farbridge

8. Moved by Councillor Kovach
Seconded by Councillor Burcher

WHEREAS Guelph City Council is committed to good governance and accountability to the citizens of Guelph;

AND WHEREAS the City of Guelph has requested an assessor regarding the Wellington-Dufferin-Guelph Public Health;

THEREFORE BE IT RESOLVED THAT Guelph City Council request the courtesy of a formal response forthwith from both the Provincial Government and our Guelph MPP to its' request regarding the appointment of an assessor.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Proposed Lease Agreement – 58 Dawson Road

Ms. D. Jaques
Ms. S. Aram
Mr. M. Amorosi

9. Moved by Councillor Laidlaw
Seconded by Councillor Burcher

THAT the Mayor and Clerk be authorized to execute a lease for a municipal daycare facility at 58 Dawson Road, subject to the terms and conditions of the lease being satisfactory to the City Solicitor and the Executive Director of Corporate and Human Resources.

AND THAT the Mayor and Clerk be authorized to execute a Provision of Service Agreement between the County of Wellington and the City in regard to the daycare facility at 58 Dawson Road.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

ADJOURNMENT

The meeting adjourned at 10:48 o'clock p.m.

Minutes read and confirmed November 28, 2011.

.....
Mayor

.....
Acting Clerk

SCHEDULE 5

Conditions of Draft Plan Approval

"THAT the application by Astrid J. Clos Planning Consultants on behalf of Lunor Group Inc. and Fabbian Homes Inc. for a Proposed Draft Plan of Residential Subdivision 23T07502, applying to property municipally known as 312 to 316 Grange Road, and legally described as Lot 8, Registered Plan 53, Division "C", City of Guelph, to permit a minimum of 57 dwelling units, **be approved**, subject to the following conditions:

CITY CONDITIONS

1. That this approval applies only to the revised draft plan of subdivision prepared by Astrid J. Clos Planning Consultants, Project # 0619, dated August 19, 2008, to include the development of 57 residential units, as shown on **Schedule 2**, including road widenings and reserves.

Conditions to be met prior to grading and site alteration

2. The Developer shall complete a **tree inventory and conservation plan**, satisfactory to the City Engineer in accordance with City of Guelph Bylaw (1986)-12229 prior to any grading, tree removal or construction on the site.
3. The Developer shall obtain a **Site Alteration Permit** in accordance with City of Guelph By-law (2007)-18420 to the satisfaction of the City Engineer.
4. The Developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan shall be borne by the Developer.
5. The Developer agrees that no work, including, but not limited to **tree removal, grading or construction**, will occur on the lands until such time as the Developer has obtained written permission from the City Engineer or has entered into a Subdivision Agreement with the City.
6. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.
7. The Developer shall prepare an overall **site drainage and grading plan**, satisfactory to the City Engineer, for the entire subdivision. Such a plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.
8. The Developer shall construct, install and maintain **erosion and sediment control** facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.

9. The Developer shall provide a qualified **environmental inspector**, satisfactory to the Director of Community Design and Development Services, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures. The environmental inspector shall report on their findings to the City. For this subdivision, the City recognizes that the environmental inspection can be completed by a qualified engineering inspector to the satisfaction of the City.
10. The Developer shall submit a detailed **Storm Water Management Report and Plans** to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plan shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines, the City's "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the applicable watershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described.
11. The Developer shall ensure that any **domestic wells located within the lands be properly decommissioned** in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any **boreholes** drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
12. The Developer shall ensure that the **height of any proposed retaining wall** does not exceed 1.2 metres to the satisfaction of the City Engineer
13. The Developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the development agreement on the block/lot so disturbed.
14. The Developer shall carry out an **archaeological assessment** of the subject property and mitigate, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or any soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.

Conditions to be met prior to execution of subdivision agreement

15. That any dead ends and open sides of road allowances created by the draft plan be terminated in **0.3 metre reserves**, which shall be conveyed to the City at the expense of the Developer.
16. That with the exception of any share determined by the City to be the City's share in accordance with its by-laws and policies, the Developer is responsible for the total **cost of the design and construction of all municipal services** within and external

to the subdivision that are required by the City to service the lands within the plan of subdivision including such works as sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks, boulevards and curbs, with the distance, size and alignment of such services to be determined by the City. This also includes the Developer paying a share of the cost of the existing downstream stormwater management system as determined by the City and a share of the cost of the reconstruction of Grange Road. In addition, the Developer will be required to pay the cost of the design, construction and removal of any works of a temporary nature including temporary cul-de-sacs, sewers, stormwater management facilities, watermains and emergency accesses.

17. Should 23T-07505 proceed before 23T-07502 or vice-versa, the Developer shall construct **temporary turning circles** at the ends of Roads A and B and an **emergency access road** all to the satisfaction of the City.
18. The Developer shall submit a **Geotechnical Report** to the satisfaction of the City Engineer which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding.
19. The Developer shall submit a **Traffic Impact Study** to the satisfaction of the City Engineer and the Developer shall implement to the satisfaction of the City Engineer the recommendations of the **Traffic Impact Study** undertaken for this subdivision and approved by the City Engineer.
20. The Developer shall pay the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City.
21. The Developer shall pay to the City the flat rate charge established by the City per metre of road frontage to be applied to **street tree planting** within the proposed subdivision.
22. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.
23. The Developer shall provide an **On-Street Parking Plan** for the subdivision to the satisfaction of the City Engineer. This Plan shall include on-street parking on Grange Road.
24. The site plans for all **corner building lots**, as determined by the City, shall be submitted to the City for approval of driveway location.
25. The Developer shall pay the cost of the installation of one Second Order **Geodetic Benchmark** within the proposed subdivision to the satisfaction of City Engineer.
26. The Developer shall phase the subdivision to the satisfaction of the City of Guelph. Such **phasing** shall conform to the current Development Priorities Plan.

27. The Developer shall provide Community Design and Development Services with a **digital file** in either AutoCAD - DWG format or DXF format containing the following final approved information: parcel fabric, street network, grades/contours and existing vegetation to be retained in the park.
28. The Developer shall **demarcate the boundary of the Park Block** in accordance with the City of Guelph Property Demarcation Policy, to the satisfaction of the Director of Community Design and Development Services.

Conditions to be met prior to registration of the plan

29. The Developer shall obtain approval of the City with respect to the availability of **adequate water supply and sewage treatment capacity**, prior to the registration of the plan, or any part thereof.
30. The registration of the plan, or any part thereof, shall require approval of the City with respect to **adequate sanitary sewer capacity** being available in the downstream trunk sanitary sewer.
31. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a Qualified Person (QP) as defined in Ontario Regulation 153/04 to prepare and submit a **Phase 1 Environmental Site Assessment** (and any other subsequent phases required), to assess any real property to be conveyed to the City to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the registration of the plan, a Qualified Person shall certify that all properties to be conveyed to the City are free of contamination.
32. Prior to the City accepting any real property interests, if contamination is found, the Developer shall:
- a. submit all environmental assessment reports prepared in accordance with the **Record of Site Condition** (O. Reg. 153/04) describing the current conditions of the land to be conveyed to the City and the proposed remedial action plan to the satisfaction of the Manager of Reality Services;
 - b. complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be conveyed to the City meet the Site Condition Standards of the intended land use; and
 - c. file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be conveyed to the City.
33. The Developer shall enter into a **Subdivision Agreement**, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
34. That the **road allowances** included in the draft plan be shown and dedicated at the expense of the Developer as public highways and that prior to the registration of any

phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria – July 23, 1993".

35. That all **easements, blocks** and **rights-of-way** required within or adjacent to the proposed subdivision be conveyed clear of encumbrance to the satisfaction of the City of Guelph, Guelph Hydro Electric Systems Inc. and other Guelph utilities. Every Transfer Easement shall be accompanied by a Postponement, satisfactory to the City Solicitor, for any mortgage, charge or lease and such Postponement shall be registered on title by the City at the expense of the Developer.
36. The Developer shall pay any **outstanding debts** owed to the City.
37. The Developer shall pay **development charges** to the City in accordance with By-law Number (2004) - 17361, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board as amended from time to time, or any successor by-laws thereto.
38. The Developer shall erect and maintain **signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all the lots and blocks within the proposed subdivision and predominantly place on such signs the wording "For the Zoning of all lands abutting the subdivision, inquiries should be directed to Community Design and Development Services, City Hall". Further, the signs shall be resistant to weathering and vandalism.
39. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title:
 - a. "Purchasers and/or tenants of all lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard."
 - b. "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City nor guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling."
 - c. "Purchasers and/or tenants of all lots or units are advised that a transit route may be installed on Grange Road at the discretion of the City. The location of such route and bus stops will be determined based on the policies and requirements of the City. Such bus stops may be located anywhere along the route, including lot frontages."

- d. "Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic".
 - e. "Purchasers and/or tenants of all lots or units are advised that the boundaries of the park block will be demarcated in accordance with the City of Guelph Property Demarcation Policy."
40. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
41. The Developer shall ensure that **street lighting** and underground wiring shall be provided throughout the subdivision at the Developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc.
42. The Developer shall pay to the City, the total cost of reproduction and distribution of the **Guelph Residents Environmental Handbook**, to all future residents within the plan, with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
43. That site plans for all corner building lots, as determined by the City Engineer, shall be submitted to the City Engineer for approval of **driveway location**.
44. The Developer agrees to eliminate the use of any covenants that would restrict the use of **clotheslines** and that prior to the registration of all or any portion of the plan, the Developer's lawyer shall certify to the Director of Community Design and Development Services that there are no restrictive covenants which restrict the use of clotheslines.

Conditions to be met prior to the issuance of a building permit

45. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all **fill** placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable zoning bylaw envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
46. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases (Radon and Methane)** in the plan in accordance with applicable provisions contained in the Ontario Building Code.

47. All **Stage 1 Services** are to be constructed to the satisfaction of the City Engineer.
48. The Developer shall provide the City with written confirmation from the Engineering Department of **Guelph Hydro** that the subdivision hydro servicing has been completed to the satisfaction of Guelph Hydro.
49. The Owner acknowledges and agrees that the dwelling units on the subject site will be constructed to ENERGY STAR standard that promotes **energy efficiency** standards in order to comply with the Community Energy Plan, to the satisfaction of the City.

AGENCY CONDITIONS:

50. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
51. The Developer and the **Wellington Catholic School Board** shall reach an agreement regarding the supply and erection of signage, at the developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of busing students outside the immediate area should schools in the area be at capacity.
52. The Developer agrees to provide the **Upper Grand District School Board** with a digital file of the plan of subdivision in either ARC/INFO export or DXF format containing the following information: parcel fabric and street network.
53. The Developer agrees in the subdivision agreement to **advise all purchasers** of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease, until such time as a permanent school is assigned:
- "Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bused to a school outside the area, and further, that students may in future have to be transferred to another school.
54. The Developer and the **Upper Grand District School Board** shall reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to Upper Grand District School Board specifications) affixed to the permanent development sign advising perspective residents that students may be directed to schools outside the neighbourhood.
55. The Developer shall satisfy all requirements and conditions of **Canada Post** including advisories and suitable mailbox locations. The developer shall ensure that the eventual lot/home owner is advised in writing by the developer/subdivider/builder

that Canada Post has selected the municipal easement to their lot for a Community Mail Box installation and the developer shall be responsible for the installation of concrete pads in accordance with the requirements of Canada Post, in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes. The concrete pads are to be poured at the time of curb installation within each phase of the subdivision.

56. That this **Draft Plan Approval shall lapse** on January 12, 2015.
57. That prior to the registration of all or any portion of the plan, the **Wellington Catholic District School Board** shall advise the City in writing how condition 51 has been satisfied.
58. That prior to the registration of all or any portion of the plan, **Upper Grand District School Board** shall advise the City in writing how conditions 52, 53 and 54 have been satisfied.
59. That prior to the registration of all or any portion of the plan, **Guelph Hydro Electric Systems Inc**, shall advise the City in writing how conditions 41 and 48 have been satisfied.
60. That prior to the registration of all or any portion of the plan, Canada Post shall advise the City in writing how condition 55 has been satisfied.

**AMENDMENT NUMBER 1 TO THE
DOWNTOWN GUELPH COMMUNITY IMPROVEMENT PLAN
FOR THE CORPORATION OF THE CITY OF GUELPH**

INDEX

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The Preamble provides an explanation of the amendment including the purpose, background, location, basis and summary of the policies and public participation, but does not form part of this amendment.

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PART A – THE PREAMBLE

The Preamble provides an explanation of the amendment including the purpose, background, location, basis and summary of the policies and public participation, but does not form part of this amendment.

TITLE AND COMPONENTS

This document is entitled Amendment Number 1 to the Downtown Guelph Community Improvement Plan and will be referred to as the 'Amendment.'

Part A – 'The Preamble' provides an explanation of the amendment including the purpose, location, background, summary of the policies and public participation, but does not form part of this amendment.

Part B – 'The Amendment' forms the Amendment to the Downtown Guelph Community Improvement Plan and contains a comprehensive expression of the new, deleted and amended text as illustrated through various font types in the text (e.g. struck-out is to be deleted and bold text is to be added), and Figure 1 – "Community Improvement Project Area" and Figure 2 – "Downtown Program Monitoring" are replaced.

PURPOSE

The purpose of this Amendment is to enlarge the current Downtown Guelph Community Improvement Project Area as identified within the Downtown Guelph Community Improvement Plan in accordance with Section 28 (2) of the Planning Act and the City's Official Plan as amended by Official Plan Amendment 47. A CIP by-law will need to be established for the enlarged CIP Project Area and passed by Council following the adoption of this Amendment. OPA 47, which came into effect on October 26, 2011, established a new, more flexible policy framework.

The Amendment also introduces two incentive-based programs, which will allow the City, pursuant to Section 106 (3) of the Municipal Act, to further enhance its suite of programs delivering increased reinvestment in the downtown under Sections 28 (6), (7) of the Planning Act.

BACKGROUND

The 'Downtown Guelph Community Improvement Plan' (DGCIP) was adopted at the City Council meeting on April 6, 2010. The Facade Improvement Grant Program and Feasibility Study Grant Program are the existing programs outlined in the DGCIP. The two programs were made available in May 2010 and recently completed their second offering for 2011. The delivery of these financial tools in Downtown Guelph has been limited to the existing Downtown CIP Project Area which does not capture the full extent of the Downtown business community.

OPA 47 updates policies regarding community improvement and renewal and allows for the expansion of the Downtown Community Improvement Plan Project Area and related programs to encompass the entire Downtown Urban Growth Centre as set out through OPA 39. OPA 39 was approved by the Province on November 30, 2009 bringing the City's Official Plan into conformity with the planning framework of the Growth Plan for the Greater Golden Horseshoe. The Downtown Urban Growth Centre area will be reflected within this amendment.

The two new incentive-based programs will further enhance the suite of investment tools for Downtown Guelph. The Minor Downtown Activation Grant will provide funds towards eligible private sector expenses spent on the conversion and rehabilitation of under-utilized and vacant properties into viable uses. The definition of under-utilized is unrentable, vacant or nonfunctional space (e.g. continuously vacant for greater than 9 months).

The Major Downtown Activation Grant will support the redevelopment of under-utilized sites to enable larger scale improvements. The TIBG (tax increment based grant) uses the property tax increase (tax increment) generated by a redevelopment project to pay a grant equivalent to a portion or all of the amount of the estimated property tax increase (municipal portion) after the property is redeveloped. The TIBG represents the current tax level of a property - before any redevelopment work - and the future tax level after development is complete and reassessed.

In addition to holding a statutory public meeting prior to adopting the Amendment, the City held two public information meetings on July 27, 2011 and September 19, 2011 for the purpose of giving the public an opportunity to review and ask questions about the Amendment. The Amendment was circulated to the Ministry of Municipal Affairs and Housing (MAH) on July 5, 2011 and the Ministry provided comments within 60 days. It remains for Council to adopt the Amendment following the statutory public meeting on November 7, 2011. A CIP By-law will be enacted for the enlarged Downtown CIP Project Area at a subsequent Council meeting. This Amendment is being undertaken in accordance with Section 28 (2) of the Planning Act.

LOCATION

The text changes made through the Amendment apply to all land within the enlarged CIP Project Area. Figure 1 identifies the Urban Growth Centre as shown in OPA 39 where specific policies and Downtown Guelph Community Improvement Plan programs will apply.

BASIS

Downtown Guelph is intended to serve as a focal point for investment. The policies and objectives contained in the Amendment are based on the key goals and objectives endorsed by Council at its April 6, 2010 meeting where it was agreed the CIP would achieve a number of the City's goals with respect to the Downtown including the ability to increase the downtown contribution to the tax base within the Downtown Guelph Community Improvement Plan.

The existing DGCIP Project Area is based on the Central Business District as defined in schedule 1B of the Official Plan. The Amendment is intended to be consistent with the Official Plan Amendment No. 47 which modified the Official Plan to allow for greater flexibility for CIP Project Areas to be revised without requiring a corresponding Official Plan Amendment. This Amendment expands the Downtown CIP Project Area to be coincident with the UGC identified on schedule 1B of OPA 39, thus allowing the City to further expand its ability to deliver and effectively implement Downtown Guelph CIP programs. The UGC is intended to accommodate the density of 150 people and jobs per hectare and estimates Downtown Guelph will be home to 6,000 more people by 2031.

SUMMARY OF CHANGES TO DOWNTOWN GUELPH CIP

Expansion of Downtown CIP Project Area

Official Plan Amendment No. 39 established an Urban Growth Centre (UGC) in the Downtown Guelph area, in accordance with the Growth Plan policy 2.2.4.2. The UGC is larger than the Central Business District as shown on Schedule 1B of the Official Plan. This area is proposed as the new Downtown Guelph CIP Project Area.

The former boundary contained in By-law (2009)-18704 designated the Downtown as a Community Improvement Project Area pursuant to Section 28(2) of the *Planning Act*. Council adopted the By-law on January 12, 2009 and identified the 2006 Official Plan land use area known as the Central Business District (CBD) within Schedule 5 as the defined area for the Downtown Guelph CIP. OPA 47 deletes Schedule 5, thus allowing the City to designate the entire City, or any part of the City, as a Community Improvement Project Area, without requiring an amendment to the Official Plan.

As stated in OPA 39, the specific boundaries and detailed policies for this area will be developed through the completion of a Downtown Secondary Plan. A future amendment of the Downtown Guelph CIP may be required once the Secondary Plan is formally approved by Council.

Downtown Activation Grant

In addition to the existing incentive programs approved in the Downtown Guelph CIP, the amendment includes the Minor and Major Downtown Activation Grants that would apply to properties within the Downtown Guelph CIP Project Area. The grants cover a range of eligible works including the conversion and/or rehabilitation of existing properties and the large-scale redevelopment of under-utilized and vacant sites within Downtown Guelph.

PUBLIC PARTICIPATION

Public Meeting for Amendment

Two public open houses were held on July 27, 2011 and September 19, 2011 to provide the public with an opportunity to comment and provide input on the proposed changes to the area and additional incentive-based programs in the Community Improvement Plan. Amendment Number 1 to the DGCIP was presented at the November 7, 2011 statutory public meeting of Council to allow the public to make presentations and/or provide Council with written comments on the proposed Amendment.

PUBLIC MEETING NOTICE

Amendment Number 1 to the Downtown Guelph Community Improvement Plan

Community members are invited to a public meeting where Guelph City Council will consider Amendment Number 1 to the Downtown Guelph Community Improvement Plan (DGCIP).

Monday, November 7

7 p.m.

Council Chambers, City Hall, 1 Carden Street



About Amendment 1 to the Downtown Guelph Community Improvement Plan (DGCIP)

The purpose of Amendment Number 1 is to enlarge the current Downtown Guelph Community Improvement Project Area as identified within the Downtown Guelph Community Improvement Plan in accordance with Section 28 (2) of the Planning Act and the City's Official Plan as amended by Official Plan Amendment 47.

Two new programs are proposed as part of the amendment. The Major and Minor Downtown Activation Grant programs are designed to activate renovation and redevelopment projects within the DGCIP area. Copies of the Amendment Number 1 to the Downtown Community Improvement Plan are available online at guelph.ca/downtown.

For more information

Ian Panabaker, Corporate Manager

Downtown Renewal

T 519-822-1260 x 2475

E ian.panabaker@guelph.ca

How to provide comments

If you wish to speak to City Council during this meeting, please contact the City Clerk's Office at 519-822-1260 x 5603 or email clerks@guelph.ca by **Wednesday, November 2, 2011** to register as a delegation.

If you are unable to attend the meeting and wish to comment, please send written comments to the City Clerk's Office by **Wednesday, November 2, 2011** to be included in the meeting agenda, or by 12 p.m. on Monday November 7 to be included in the addendum.

City of Guelph

Tina Agnello, Acting City Clerk

City Clerk's Office

1 Carden Street

Guelph ON N1A 3A1

T 519-822-1260 x 5603

E clerks@guelph.ca

Notice issued on October 13, 2011

PART B – THE AMENDMENT

Format of the Amendment

This section (Part B) of Amendment sets out additions and changes to the text within the Downtown Guelph Community Improvement Plan. Sections of the CIP that are being added or changed are referred to as "ITEMs" in the following description. Entire sections to be deleted are described, however, the text is not shown in ~~strike-out~~. Text to be amended is illustrated by various font types (e.g. ~~struck-out~~ is to be deleted and **bold** text is to be added). New sections being added to the Amendment are shown in standard font type with titles appearing in **bold**. Italicized font indicates defined terms.

Implementation and Interpretation

The implementation of this amendment shall be in accordance with the provisions of Section 28 of the *Planning Act*. The further implementation and associated interpretation of this amendment shall be in accordance with the relevant policies and schedules of the Official Plan update and any other applicable legislation.

Details of the Amendment

ITEM 1: The purpose of 'ITEM 1' is to amend text in Section 1.0 of the Downtown Guelph CIP – 'Introduction' – to reflect key dates and incorporate the Amendment process.

Section 1.0 of the Downtown CIP is hereby amended as follows:

The Downtown Guelph Community Improvement Plan (CIP) is a tool that is intended to stimulate the revitalization of and investment in the Downtown to achieve positive change to the existing physical and social landscape, either through direct public sector investment or through private sector investment including municipally driven incentive-based programs. CIP's are used widely across Ontario, and particularly in downtowns, to focus and initiate change and redevelopment. In accordance with Section 28 of the *Planning Act*, Guelph's Downtown CIP encourages investment in the Downtown by providing for financial incentives that may be applied to eligible properties for purposes that conform to the goals, objectives, and policies of the CIP. Eligible properties must be located within the Downtown Guelph Community Improvement Project Area designated by Council by-law following the approval of the Amendment.

The **2010** Downtown Guelph CIP was prepared in accordance with the statutory requirements of Section 17(15) (a) of the *Planning Act* and had the benefit of a full consultation process. Comments from the Ministry of Municipal Affairs and Housing, Ministry of Culture, and Ministry of Energy and Infrastructure were received and incorporated. **The Amendment to the Downtown Guelph CIP was prepared in accordance with the statutory requirements of Section 17 (15) (a) of the Planning Act and circulated to the Ministry of Municipal Affairs and Housing. Comments were received and incorporated.**

The Downtown Guelph Business Association and the City of Guelph Downtown Coordinating **Advisory** Committee have played an integral and supportive role.

~~An open house, which included a display and presentation of the CIP concepts and proposed programs, was held on May 22, 2008.~~

An open house, which included a presentation of the Amendment of the Downtown CIP, was held on July 27, 2011 and September 19, 2011.

The statutory public meeting required under the *Planning Act* was held on February 12, 2009 **November 7, 2011.**

ITEM 2: The purpose of 'ITEM 2' is to amend Section 1.1 of the Downtown Guelph CIP to add text regarding the new CIP programs.

Section 1.1 of the Downtown CIP is hereby amended as follows:

The purpose of this CIP is to revitalize and enhance the Downtown as a focal area for public and private investment. The CIP provides City Council with broader authority to encourage and implement public and private investment in the Downtown. ~~Currently the~~ **The** Downtown Guelph CIP focuses on delivering municipal incentive programs to support private sector investment in the form of façade improvement ~~and, feasibility study grants, and larger scale renovation and redevelopment programs called the minor and major downtown activation grants.~~

Public Sector Investment

The passage of a by-law designating the Downtown as a community improvement project area and the CIP provides the City with the ability to become more directly involved in the redevelopment of land within the Downtown for the purpose of community improvement, including:

- the acquisition or preparation of property for community improvement;
- construction, rehabilitation or improvement of buildings on land held by the City; and
- the sale, lease or disposal of land and buildings held by the City for the purpose of carrying out the CIP.

Private Sector Investment

In order to stimulate private investment, the CIP provides for financial incentive programs that will make grants or loans available to Downtown properties to:

- improve the appearance of streetscapes and buildings, including built cultural heritage resources, through facades improvements; promote sustainable development including energy efficiency through façade improvements; undertake feasibility studies;
- **provide assistance for under-utilized or vacant properties; and/or**
- **encourage large-scale commercial and residential redevelopment to promote the intensification of Downtown Guelph.**

ITEM 3: The purpose of 'ITEM 3' is to delete the last two paragraphs in Section 1.2 of the Downtown Guelph Community Improvement Plan – 'Community Improvement Project Area' and add a reference to the Urban Growth Centre area as set out through OPA 39.

Section 1.2 of the Downtown CIP is hereby amended as follows:

The revised Community Improvement Project Area, as shown in Figure 1, is based on the Downtown Guelph Urban Growth Centre set out in OPA 39. Properties that straddle the CIP Project Area boundary are considered to be entirely within the Community Improvement Project Area. A CIP By-law must be passed by Council to expand the CIP Project Area.

The CIP By-law designating the Downtown, as shown on Figure 1, as a Community Improvement Project Area pursuant to Section 28(2) of the *Planning Act* will be enacted at a subsequent Council meeting following the adoption of Amendment 1 to the DGCIP.

However, once the area for Downtown Guelph is refined through the current Secondary Planning process, the Official Plan, CIP by-law, and this CIP will be amended to reflect the new boundary.

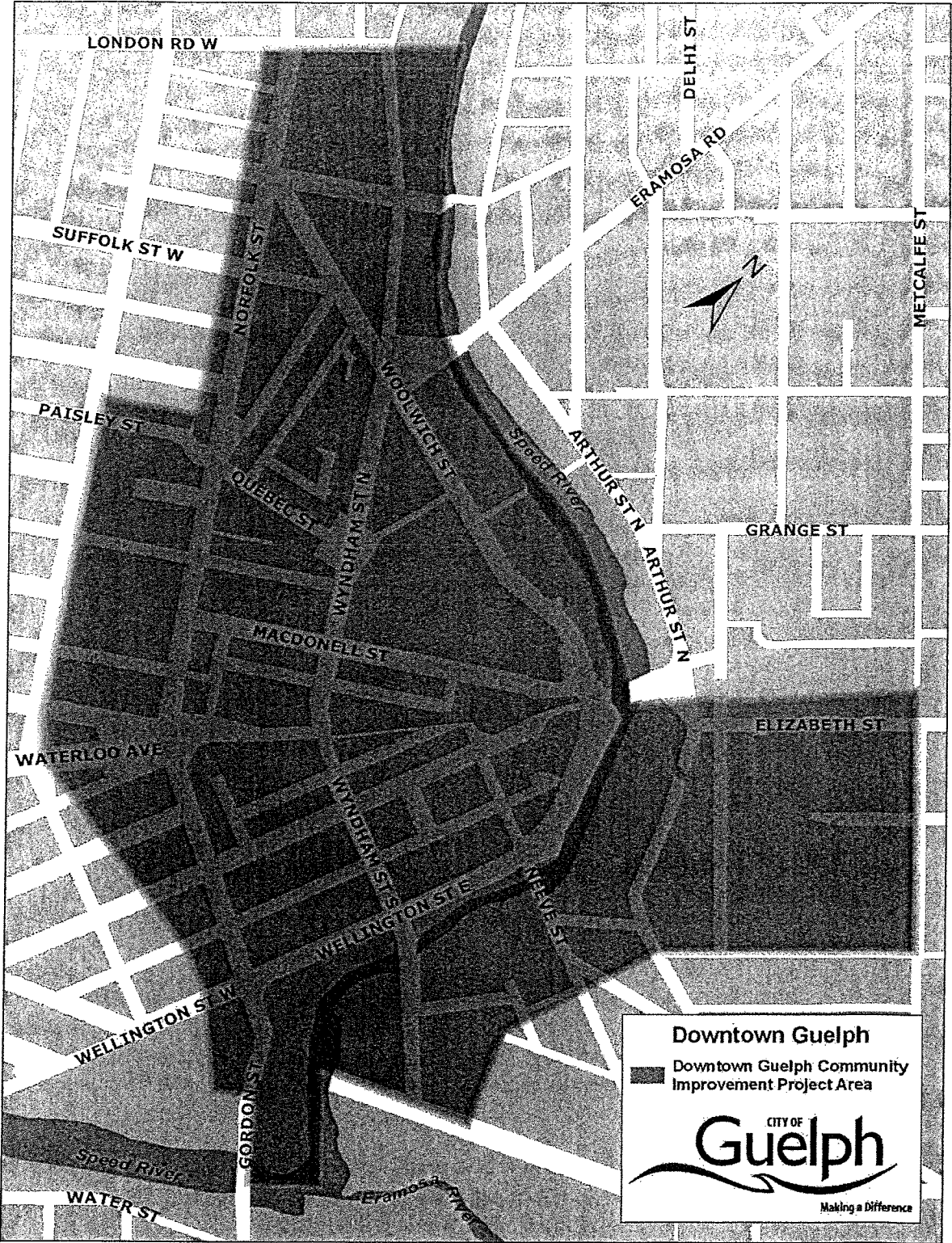
~~"On January 12, 2009 Council adopted By law (2009) 18704 designating the Downtown, as shown on Figure 1, as a Community Improvement Project Area pursuant to Section 28(2) of the *Planning Act*.~~

~~The Official Plan (2006) identifies the Central Business District (CBD) as a community improvement priority. The Community Improvement Project Area identified on Figure 1 applies to the area as identified in the Official Plan. However, once the boundary for Downtown Guelph is refined through the current Secondary Planning process, the Official Plan, CIP by law, and this CIP will be amended to reflect the new boundary.~~

ITEM 4: The purpose of 'ITEM 4' is to delete and replace existing Figure 1: Downtown Guelph Community Improvement Project Area.

Figure 1, entitled 'Downtown Guelph Community Improvement Project Area' is hereby deleted and replaced with the following figure:

Figure 1: 2011 Downtown Guelph Community Improvement Project Area



ITEM 5: The purpose of 'ITEM 5' is to delete and replace section 1.3 – Downtown Opportunities and Challenges.

Section 1.3 of the Downtown CIP is hereby deleted and replaced with the following text:

1.3 Downtown Opportunities and Challenges

The Downtown has been the economic and cultural centre of Guelph since its establishment in 1827. It is the focus of a broad range of public and private uses that make the Downtown the civic, cultural, social and economic centre of the City.

Downtown Guelph Community Improvement Project Area supports a broad mix of uses within a 119 hectare area with an estimated 3750 people and 7200 jobs. The area consists of 675 parcels in the downtown with 466 of them considered cultural heritage resources (69%) of which 33 are formally designated under the *Ontario Heritage Act*.

The City of Guelph is committed to a healthy and vibrant downtown as a desirable place for people to live, work, conduct business, engage in civic and social activities, and pursue cultural and recreational interests. This commitment is evidenced through public investment in community facilities such as the, Farmer's Market, River Run Centre, library, museum, transit terminal, Civic Square projects and City Hall, and major infrastructure investment in roads, bike lanes, sidewalks, and parking.

The health and vitality of a downtown is also measured by its desirability as a place to live as well as do business. However, the Downtown has not seen the necessary growth in residential population needed to maintain this vitality. While the City wide population grew by 8.2% between 2001 and 2006, the residential population base Downtown declined by over 6% and the number of dwellings by almost 5%.

The revitalization of the Downtown, however, will also require the complementary participation of the private-sector, through the reinvestment and establishment and expansion of new office and retail businesses and the development of new residential projects.

The purpose of this Plan is to attract more public and private sector investment to help ensure the long-term economic, social and cultural vitality of Downtown Guelph. To achieve this, the City is committed to taking a role in stimulating Downtown investment to attract private development and redevelopment in Downtown Guelph.

During the development of the Downtown Guelph Community Improvement Plan and Amendment, the public requested the City to consider:

- Waiving or reducing development charges;
- Enlarging the size of the project area;

- Examining neighboring municipalities and their CIPs; and
- Finding effective methods to jump start projects.

In addition, the infusion of additional residential development is critical to the health of a downtown. The establishment of a CIP is critical if the Official Plan objectives & policies of the Downtown Urban Growth Centre, as set out through OPA 39 are to be achieved.

A Secondary Plan is currently underway for the Downtown to help meet this growth challenge. Once this Secondary Plan is adopted by Council and has come into effect, it may provide additional policy guidance regarding the implementation of this CIP.

ITEM 6: The purpose of 'ITEM 6' is to add text to the second paragraph in Section 1.4 – Need for Incentives – and delete third paragraph.

Section 1.4 of the Downtown CIP is hereby amended as follows:

Redevelopment and revitalization of existing buildings can be costly. Municipal assistance in offsetting these costs may include granting back fees, sponsoring feasibility studies as well as providing financial incentives for façade improvements, **and minor renovation and rehabilitation projects. Funding larger scale redevelopment through tax increment based grants addresses properties that are either vacant and/or under-utilized.**

~~From a municipal financial perspective, development in the downtown is cost effective because services, such as transit, emergency and other services are readily available. Hard services such as water and sanitary services are also in place, although updating may be required.~~

ITEM 7: The purpose of 'ITEM 7' is to add the last paragraph in Section 2.1 – Planning Act – to address the maximum amount of eligible costs.

Section 2.1 of the Downtown CIP is hereby amended as follows:

The total of all grants, loans and tax assistance provided through all financial incentive community improvement programs cannot exceed the cost of rehabilitating the lands and buildings (Section 28(7.3) of the Planning Act). Programs within the CIP further refine levels of assistance.

ITEM 8: The purpose of 'ITEM 8' is to delete the reference to the Central Business District in Section 3.1 – Guelph Official Plan.

Section 3.1 of the Downtown CIP is hereby amended as follows:

The Official Plan sets out a vision statement that promotes the Downtown as a beautiful, vibrant, multiple-functional urban centre that is a focal area for investment, employment and housing. ~~The Plan promotes the Central Business District (CBD) as the community's civic, cultural, social and economic centre with a high concentration of activities and land uses developed in concert with excellent quality design standards.~~

ITEM 9: The purpose of 'ITEM 9' is to amend section 3.1.1 – Official Plan Amendment No. 39 (November 20, 2009) to highlight the role of the Growth Plan for the Greater Golden Horseshoe.

Section 3.1.1 is here amended as follows:

Official Plan Amendment No. 39 was adopted by Council on June 10, 2009 and approved by the Province on November 20, 2009, to bring the City's Official Plan into conformity with the planning framework of the Growth Plan for the Greater Golden Horseshoe. **The Growth Plan identified the need for investment in order to accommodate a significant share of population and employment growth. City Council adopted a Local Growth Management Strategy in 2008 recognizing the need for increased Downtown density to better balance the ratio of residents to jobs. OPA 39** ~~The Amendment added a new Schedule to the Official Plan which illustrates growth plan elements including an Urban Growth Centre (UGC). The Urban Growth Centre represents an expanded downtown area that is currently the subject of a Secondary Plan study. The actual boundaries of the UGC may be further detailed expanded downtown area will be determined through the Downtown Secondary Plan, and ultimately incorporated into the Official Plan through a subsequent amendment.~~ **The boundaries of the UGC may be further detailed through the Downtown Secondary Plan.**

ITEM 10: The purpose of 'ITEM 10' is to add a new section 3.1.2 Official Plan Amendment No. 47 (September 6, 2011).

Section 3.1.2 entitled "Official Plan Amendment No. 47" is added to the Downtown CIP as follows:

3.1.2 Official Plan Amendment No. 47 (September 6, 2011)

Official Plan Amendment No. 47 was adopted by Council on September 6, 2011. OPA 47 allows for the DGCIP to expand the community improvement project area to encompass all lands within the larger Downtown Urban Growth Centre as set out by the City's Growth Plan Conformity Amendment Official Plan Amendment 39. This allows landowners within the expanded area to benefit from the CIP financial incentive programs. The DGCIP Project Area incorporates the City's OPA39 Growth Plan Conformity shape for the Urban Growth Centre (UGC), approved by the Province on November 20, 2009. The UGC area is larger, includes both sides of streets and includes the areas of the Ward which are now part of the Downtown Secondary Plan process. DGCIP will continue to recognize that further refinements to the area may come about as a result of the detailed planning studies, including the Downtown Secondary Plan.

ITEM 11: The purpose of 'ITEM 11' is to delete section 3.4 – Growth Plan for the Greater Golden Horseshoe (2006) given that OPA 39 implements the Growth Plan.

Section 3.4 is hereby deleted in its entirety.

ITEM 12: The purpose of 'ITEM 12' is to delete section 3.7 – Local Growth Management Strategy (2008).

Section 3.7 is hereby deleted in its entirety.

ITEM 13: The purpose of 'ITEM 13' is to amend the objectives in Section 4.1.2 – Objectives - in the Downtown Guelph CIP.

Section 4.1.2 is hereby amended as follows:

The objectives of the CIP for Guelph's downtown are:

- a) Providing for public sector investment.
- b) Stimulating private sector investment.
- c) Improving the appearance of the Downtown streetscape and buildings, including built cultural heritage resources, through façade improvements.
- d) Promoting the renovation and reuse of underused properties.
- e) Promoting sustainable development including energy efficiency through ~~façade improvements~~ **and district energy ready design.**

ITEM 14: The purpose of 'ITEM 14' is to delete and replace section 4.3.1. Façade Improvement Grant Program in its entirety.

Section 4.3.1 is hereby deleted and replaced with the following:

4.3.1 Façade Improvement Grant Program

4.3.1.1 Purpose

The purpose of the Façade Improvement Grant Program is to stimulate reinvestment in the Downtown and to improve the appearance of the Downtown streetscape and buildings, including built heritage resources, as defined by the Official Plan. This Program will leverage public sector investment by providing a grant towards eligible private sector expenses spent on façade improvements. It is understood that independent businesses are the basis of the economic vitality of Downtown Guelph. The Façade Improvement Grant Program will encourage long lasting physical improvements to the assets of property owners as well as bring about aesthetic improvements to Downtown street facades.

4.3.1.2 Program Overview

The program will assist property owners and tenants with the financing of street-oriented building façade improvements to implement the City's urban design and heritage conservation policies, and support the significant public investment taking place in Downtown Guelph. The program provides a financial incentive, in the form of a grant, to promote exterior façade restoration and improvements. Additional program details are further described in the Implementation Guidelines.

4.3.1.3 Eligibility

To be eligible for the Façade Improvement Grant, applicants must be:

- the property's registered owner, assessed owner or tenant (or their assignee/agent); and
- located within the Downtown Guelph Community Improvement Project Area, as shown on Figure 1.

Additional eligibility criteria and eligible works are subject to meeting detailed requirements in the Implementation Guidelines.

4.3.1.4 Funding

Funding and financial mechanisms will be established on the basis of the Implementation Guidelines through the budget process, subject to Council or delegated approval authority.

4.3.1.5 Implementation

The program will be implemented through Council approval of detailed Implementation Guidelines and budget allocation. The guidelines will outline details such as eligibility, evaluation, application procedure, conditions, restrictions, and any further funding limitations or concerns.

ITEM 15: The purpose of 'ITEM 15' is to delete and replace section 4.3.2. Feasibility Study Grant Program in its entirety.

Section 4.3.2 is hereby deleted and replaced with the following:

4.3.2 Feasibility Study Grant Program

4.3.2.1 Purpose

The intent of this program is to stimulate private sector investment in the renovation and reuse of underused buildings within Downtown Guelph. The Grant will assist in determining the feasibility of the renovation and reuse of existing buildings in the Downtown Guelph Community Improvement Project Area. Potential proponents hesitate to take on these projects as costs associated with the renovation and reuses of these buildings are difficult to estimate due to many unknown factors. This grant allows property owners to determine if building renovations or upgrades are physically or financially feasible.

4.3.2.2 Program Overview

The program will assist property owners and tenants with the financing of feasibility studies to promote redevelopment opportunities for under-utilized building stock within Downtown Guelph. It will support studies required to obtain information and cost estimates related to rehabilitating, retrofitting and reusing buildings and land within the Downtown Guelph Community Improvement Plan Project area. Additional program details are further described in the Implementation Guidelines.

4.3.2.3 Eligibility

To be eligible for the Feasibility Study Grant, applicants must be:

- the property's registered owner, assessed owner or tenant (or their assignee/agent); and
- located within the Downtown Guelph Community Improvement Project Area, as shown on Figure 1.

Additional eligibility criteria and eligible works are subject to meeting detailed requirements in the Implementation Guidelines.

4.3.2.4 Funding

Funding and financial mechanisms will be established on the basis of the Implementation Guidelines through the budget process, subject to Council or delegated approval authority.

4.3.2.5 Implementation

The program will be implemented through Council approval of detailed Implementation Guidelines and budget allocation. The guidelines will outline details such as eligibility, evaluation, application procedure, conditions, restrictions, and any further funding limitations or concerns.

ITEM 16: The purpose of 'ITEM 16' is to add a new section into the Downtown Guelph Community Improvement Plan, titled 'Minor Downtown Activation Grant.'

Section 4.3.3 entitled "Minor Downtown Activation Grant" is added to the Downtown CIP as follows:

4.3.3 Minor Downtown Activation Grant Program

4.3.3.1 Purpose

The intent of this program is to support the redevelopment of under-utilized and vacant properties in order to activate these properties within the Downtown Guelph Community Improvement Plan Area. The Minor Downtown Activation Grant assists with the capital costs needed to convert and/or rehabilitate under-utilized and vacant properties into viable commercial or residential uses. This program will help create more intensity of uses in Downtown Guelph and support retail and street vibrancy.

4.3.3.2 Program Overview

The Minor Downtown Activation Grant will provide developers and property owners with financial support to convert and/or rehabilitate under-utilized and vacant properties into viable commercial or residential uses. This program provides funding for capital costs including project and construction costs and other works as determined in the Implementation Guidelines.

4.3.3.3 Eligibility

To be eligible, applicants for the Minor Downtown Activation Grant must be:

- a registered owner or assessed owner (or their assignee/agent) of a property; and

- located within the Downtown Guelph Community Improvement Project Area, as shown on Figure 1.

Additional eligibility criteria and eligible works are subject to meeting detailed requirements in the Implementation Guidelines.

4.3.3.4 Funding

Funding and financial mechanisms will be established on the basis of the Implementation Guidelines through the budget process, subject to Council or delegated approval authority.

4.3.3.5 Implementation

The program will be implemented through Council approval of detailed Implementation Guidelines and budget allocation. The guidelines will outline details such as eligibility, evaluation, application procedure, conditions, restrictions, and any further funding limitations or concerns.

ITEM 17: The purpose of 'ITEM 17' is to add a new section into the Downtown Guelph Community Improvement Plan, titled 'Major Downtown Activation Grant.'

Section 4.3.4 entitled "Major Downtown Activation Grant" is added to the Downtown CIP as follows:

4.3.4 MAJOR DOWNTOWN ACTIVATION GRANT PROGRAM

4.3.4.1 Purpose

The intent of this program is to support the redevelopment of under-utilized and vacant sites and activate these properties within the Downtown Guelph Community Improvement Plan Area. The Major Downtown Activation Grant encourages owners/developers to undertake large-scale residential and commercial redevelopment within Downtown Guelph.

4.3.4.2 Program Overview

The program will support the redevelopment of under-utilized and vacant sites and enable larger scale improvements to significantly increase the business and residential tax base. The grant will be in the form of a tax increment based grant which is a grant equal to the full amount, or a portion of the amount of the estimated municipal property tax increase after the property is redeveloped. The TIBG represents between the current tax level of a property - before any redevelopment work - and the future tax level after development is complete and reassessed. Additional program details are further described in the Implementation Guidelines.

4.3.4.3 Eligibility

To be eligible for the Major Downtown Activation Grant, an applicant must be:

- a registered owner or assessed owner (or their assignee/agent) of a property; and
- located within the Downtown Guelph Community Improvement Project Area, as shown on Figure 1.

Additional eligibility criteria and eligible works are subject to meeting detailed requirements in the Implementation Guidelines.

4.3.4.4 Funding

Funding and financial mechanisms will be established on the basis of the Implementation Guidelines through the budget process, subject to Council or delegated approval authority.

4.3.4.5 Implementation

The program will be implemented through the approval of Council of detailed Implementation Guidelines and budget allocation. The guidelines will outline details such as eligibility, evaluation, application procedure, conditions, restrictions, and any further funding limitations or concerns.

This program will be coordinated with existing and future grants secured through the City's Heritage Redevelopment Reserve or the Brownfield Redevelopment CIP Programs. Further details are described in the Implementation Guidelines.

ITEM 18: The purpose of 'ITEM 18' is to amend Section 5.0 Implementation. This section will introduce the role of the Implementation Guidelines for the Downtown CIP Programs.

Section 5.0 is amended as follows:

This Plan will be implemented through the provisions of the Official Plan, Section 106 of the Municipal Act and Section 28 of the Planning Act. The implementation of the CIP will be guided by the goals, objectives, and program provisions contained in Section 4 of this Plan. ~~will be outlined in the Implementation Guidelines, as approved by Council.~~

~~The Downtown Economic Development Manager in consultation with the Downtown Guelph CIP Review Team and various city staff, as required, will administer the Downtown Guelph CIP and bring applications for grants forward for consideration and approval by Council or its delegate.~~

The Plan will be administered by the Downtown Renewal Office. Additional information including review and approval process will be described in the Implementation Guidelines.

ITEM 19: The purpose of 'ITEM 19' is to delete Section 5.1 – Downtown Guelph CIP Review Team.

Section 5.1 is hereby deleted in its entirety.

ITEM 20: The purpose of 'ITEM 20' is to replace existing Figure 2 with the following Figure 2 that includes the new downtown CIP programs.

Figure 2, entitled 'Downtown Program Monitoring' is hereby deleted and replaced with the following figure:

Figure 2: Downtown Program Monitoring

Program	Measures
Façade Improvement Grant	<ul style="list-style-type: none"> • Number of applications • Total financial cost of grants • Type and cost of façade improvements approved • Type and cost of façade improvements not approved and reason(s) for refusal • Increase in assessed value of approved properties • Increase in municipal taxes of approved properties • Participant satisfaction levels with program
Feasibility Study Grant	<ul style="list-style-type: none"> • Number of applications • Total financial cost of grants • Type and cost of feasibility study grant • Type and cost of façade improvements not approved and reason(s) for refusal • Number of properties that proceed on work studied • Total cost of work done based on feasibility study • Increase in assessed value of approved properties • Increase in municipal taxes of approved properties • Participant satisfaction levels with program
Minor & Major Downtown Activation Grant	<ul style="list-style-type: none"> • Number of applications • Total financial cost of grants • Type and cost of major and minor downtown activation grants approved • Type and cost of major and minor downtown activation grants not approved and reason(s) for refusal • Increase in assessed value of approved properties • Increase in municipal taxes of approved properties • Participant satisfaction levels with program

ITEM 21: The purpose of 'ITEM 21' is to add one sentence to the end of Section 5.3 Plan Amendments.

Section 5.3 is amended as follows:

Any changes located within the Implementation Guidelines, are subject to Council approval or the delegated approval authority.

ITEM 22: The purpose of 'ITEM 22' is to add a new section into the Downtown Guelph Community Improvement Plan, titled 'Program Duration.'

Section 5.4 entitled "Program Duration" is added to the Downtown CIP as follows:

The program duration will be outlined within the Implementation Guidelines.

Council Chambers
November 17, 2011, 7:00 p.m.

A meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. C. Clack, Interim Executive Director of Community & Social Services; Ms. S. Aram, Acting City Treasurer; Ms. T. Agnello, Acting City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

The Mayor outlined the budget process and the purpose of this meeting.

PRESENTATIONS

2012 Local Boards & Shared Services Budget Presentation

Ms. S. Aram, Acting City Treasurer, provided a brief financial overview and addressed the prior year's assessment growth and legislation affecting budgets. She explained the breakdown of social services, cost allocations and the City's contribution.

Baker Street Redevelopment Update

Mr. I. Panabaker, Corporate Manager, Downtown Renewal, provided an update on the acquisition of properties and their demolition in preparation for the downtown library. He advised that the library has performed a review and has confirmed their space needs and provided details to City staff. He outlined the next steps and stated partnership models will need to be developed. Staff will outline each business case and their risk factors. Staff intend to report back within the first half of 2012.

Guelph Public Library

Ms. Kitty Pope, Chief Librarian, provided highlights of the library service levels. She advised their proposed budget is a 2.6% increase in expenses, including a year operation of the bookmobile and hiring of a Development Officer and increased revenues from assessment. She stated that overdue fines increased 13% as a result of the review Council requested and they have requested an increase in their Provincial grant. They propose to hire a Development Officer to assist in increasing revenue. They have planned service reviews of their archival services, the Scottsdale branch and outreach programs within the next three years.

Ms. Pope will provide data to Council regarding successes of Development Officers from other municipalities.

Baker Street Redevelopment Update

Ms. A. Pappert
Mr. I. Panabaker
Ms. S. Aram
Ms. K. Pope

1. Moved by Councillor Findlay
Seconded by Councillor Burcher
THAT Report 11-10, 'Baker Street Redevelopment Update', dated November 17, 2011, and prepared by the Downtown Renewal Office, be received;

AND THAT Staff, working with the Guelph Public Library and the Downtown Advisory Committee, undertake the development and evaluation of financial and project delivery options for the redevelopment of the Baker Street property and that the options be brought back for Council's consideration by end of June 2012.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, and Wettstein and Mayor Farbridge (12)

VOTING AGAINST: Councillor Kovach (1)

Carried

Ms. A. Pappert
Mr. I. Panabaker
Ms. S. Aram
Ms. K. Pope

2. Moved by Councillor Furfaro
Seconded by Councillor Burcher
WHEREAS in 2009, the city started to assemble the lands on upper Wyndham Street for the Baker Street redevelopment;

AND WHEREAS, the assembling of lands on upper Wyndham Street has been placed on hold until additional funding was made available which has created a lack of clarity for the remaining property owners;

BE IT RESOLVED THAT staff report back on options and costs to secure the remaining Wyndham Street North properties required by the Baker Street Redevelopment for the upcoming 2012 budget deliberations.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, and Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

2012 Wellington-Dufferin-Guelph Public Health Preliminary Budget Forecast

Ms. Carole Desmeules, Director, Finance and Corporate Services, Wellington-Dufferin-Guelph Public Health, provided a breakdown of their funding sources. She outlined the 2011 municipal levy and advised of the projected facility costs. She provided a breakdown of the expenditures of Public Health, highlighted budget items that require further exploration and addressed the key pressures on their budget. She stated they expect to freeze operating costs in 2012 and estimates a 3% increase on the overall base operating budget. She advised that the only discretionary program they provide is funded by Canadian Public Health.

County of Wellington

Mr. C. Dyer, Treasurer, County of Wellington stated their numbers are preliminary and they will be presenting their final budget in January of 2012. He stated the tax levy is an approximate 2% increase over the amount estimated in 2011. He stated the Social housing budget has an overall increase of 4% over 2011 and there is no change in the budget regarding the number of units. He advised the largest component of the housing budget is the housing subsidy. He stated that the Ontario Works budget has a reduction of 6.4% from 2011, which decreased as a result of their case load decreasing by 1% rather than the anticipated 3% increase. He stated that the Province will pay costs for December for downloaded services and the County will begin paying in 2012. He advised that the Administrative funding for Ontario Works review shows they will have more funding in 2012 than expected. He stated that Child care costs estimates are similar to 2011 but there are additional staff positions proposed – two in Mount Forest and one shared position with Willowdale. He also noted that responsibility for Action Read and the Neighbourhood Coalition Services are

being shifted from the County to the City. He then stated that Wellington Terrace estimates 1.2 million dollars in costs for the City which is a 2.4% increase over estimates for 2011.

Downtown Guelph Business Association

Mr. Mary Williams, Executive Director, Downtown Guelph Business Association, highlighted the components of their budget including: events, partnerships, advocacy programs and member services. He stated their budget aligns with their strategic plan and has been reviewed by their Executive Director and Executive Board members and will be presented at their Annual General Meeting on November 22nd. He advised their request for less than 3% increase is their first increase in five years. He stated he will provide their strategic plan to City Council before the December budget meetings.

Guelph Police Services Board

Ms. P. Giles, Vice-Chair, Guelph Police Services Board, provided introductory remarks and advised the budget being presented has been approved by their board.

Ms. Shelagh Morris, Director of Corporate Services, Guelph Police Services, advised of their development process. She stated their board approved a 5.4% increase, however they adjusted the budget to meet Council's request of a maximum 3% increase. She stated they had to estimate court security costs that will be part of their budget. Reference check fees are being increased from no charge to ten dollars for volunteers in order to increase revenue. She stated 0.69% of the budget increase is a result of annualization and impact from the capital budget. She addressed growth needs which include 0.25 FTE FOI/Legal Assistant and 2.0 FTE Special Constables and IT consultants for network security and system center operation projects. She stated their increase is 3.54%. She also provided capital budget highlights for 2012-2021.

2012 Local Boards and Shared Services Budgets

3. Moved by Councillor Burcher
Seconded by Councillor Findlay

Ms. S. Aram
Ms. A. Pappert

THAT the 2012 Local Boards and Shared Services budgets be received for information;

AND THAT the 2012 Local Boards and Shared Services Budgets be referred to the December 7, 2011 Council meeting for final approval and deliberation.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, and Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

4. Moved by Councillor Laidlaw
Seconded by Councillor Piper

Ms. S. Aram
Ms. A. Pappert

THAT the matter of costs for volunteer police checks be reviewed to determine the best manner to accommodate paying for the costs involved.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, and Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

5. Moved by Councillor Guthrie
Seconded by Councillor Bell

Ms. S. Aram
Mr. D. McCaughan
Ms. A. Pappert

THAT the matter of the sale of the street lights to Guelph Hydro be referred to staff to find alternative options for the funding sources.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, and Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Staff will provide information regarding the impact of volunteer police checks costs on the City of Guelph budget regarding volunteers for City programs.

ADJOURNMENT

The meeting adjourned at 9:28 o'clock p.m.

Minutes read and confirmed November 28, 2011.

.....
Mayor

.....
Acting Clerk

CONSENT REPORT OF THE COMMUNITY & SOCIAL SERVICES COMMITTEE

November 28, 2011

Her Worship the Mayor and
Councillors of the City of Guelph.

Your Community & Social Services Committee beg leave to present their
NINTH CONSENT REPORT as recommended at its meeting of November 8, 2011.
*If Council wishes to address a specific report in isolation please
identify the item. The item will be extracted and dealt with
immediately. The balance of the Consent Report of the Community
& Social Services Committee will be approved in one resolution.*

1) Overview of Ontario Works / Housing / Child Care Services

THAT the County of Wellington be advised that the City of Guelph is interested in
being an active participant in the development of the 10 year Housing and
Homelessness Plan required under the New Housing Services Act.

2) Guelph-Wellington Food Charter

THAT the Guelph-Wellington Food Charter again be received;

AND THAT the City of Guelph endorse the principles and key priorities, and sign the
Guelph-Wellington Food Charter;

AND THAT the City of Guelph uphold the Guelph-Wellington Food Charter as a
document to guide dialogue and engagement for future policy decisions and
strategic activities as they relate to food security and sustainable food systems.

All of which is respectfully submitted.

Councillor Maggie Laidlaw, Chair
Community & Social Services Committee

***Please bring the material that was distributed with the Agenda for the
November 8, 2011 meeting.***

**CONSENT REPORT OF THE
CORPORATE ADMINISTRATION, FINANCE
& EMERGENCY SERVICES COMMITTEE**

November 28, 2011

Her Worship the Mayor and
Councillors of the City of Guelph.

Your Corporate Administration, Finance & Emergency Services Committee beg leave to present their NINTH CONSENT REPORT as recommended at its meeting of November 14, 2011.

If Council wishes to address a specific report in isolation please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Report of the Corporate Administration, Finance, & Emergency Services Committee will be approved in one resolution.

1) Diversity Strategy

THAT the Diversity Strategy be approved.

2) Proposed Sale of Land to Guelph Junction Railway Company

THAT the Mayor and clerk be authorized to execute all documents required to transfer ownership of the City lands currently used for railway purposes between Norwich Street East and the northwest industrial area to Guelph Junction Railway Company.

3) Proposed Offer to Purchase – City Land at North East Corner Division Street and Exhibition Street

THAT the Mayor and Clerk be authorized to execute an Offer to Purchase and Agreement of Purchase and Sale from Salman Shafique and Arfan Shafique for the property legally described as Part of Lot 44, Plan 172, City of Guelph, designated as Part 2 on 61R11684.

4) City Owned Property at 65 Delhi Street – Former Delhi Community Centre

THAT staff be directed to proceed as outlined in the report of the Manager of Realty Services – City Owned Property at 65 Delhi Street – Former Delhi Community Centre, dated November 14, 2011.

5) Residential Sprinklers – Community Awareness Initiative

THAT the report dated November 14th, 2011 with respect to Emergency Services support of residential sprinklers and the importance of sprinklers and smoke alarms be received;

AND THAT staff research communities with existing residential sprinkler programs and report back to the committee in the second quarter of 2012;

AND THAT Council authorizes staff to develop a formal partnership with The Co-operators to educate and enhance awareness on the benefits of sprinkler systems in residential occupancies for Guelph and Canada.

6) Elizabeth Street Storm System Proposed Offer to Sell – 292 Elizabeth Street

THAT the Mayor and Clerk be authorized to execute an Offer to Sell and Agreement of Purchase and Sale between the City and Giovanna Rossi for the property municipally known as 292 Elizabeth Street, Guelph for stormwater management purposes and as outlined in the Closed Meeting report of the Manager of Realty Services dated November 14, 2011.

7) Projected Operating Variance Report for 2011

THAT the Projected Operating Variance Report for 2011 dated November 14, 2011, be received for information;

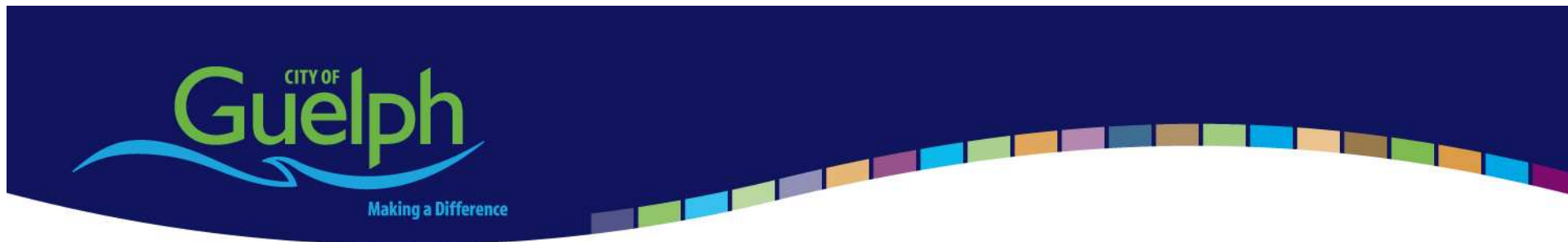
AND THAT staff be directed to develop a draft rolling calendar for the January 2012 meeting of Corporate Administration, Finance & Emergency Services Committee for the purpose of providing a tool for the Committee to track and meet its Council-delegated responsibilities;

AND THAT staff bring forward a policy regarding variance reporting.

All of which is respectfully submitted.

Councillor June Hofland, Chair
Corporate Administration, Finance &
Emergency Services Committee

Please bring the material that was distributed with the Agenda for the November 14, 2011 meeting.



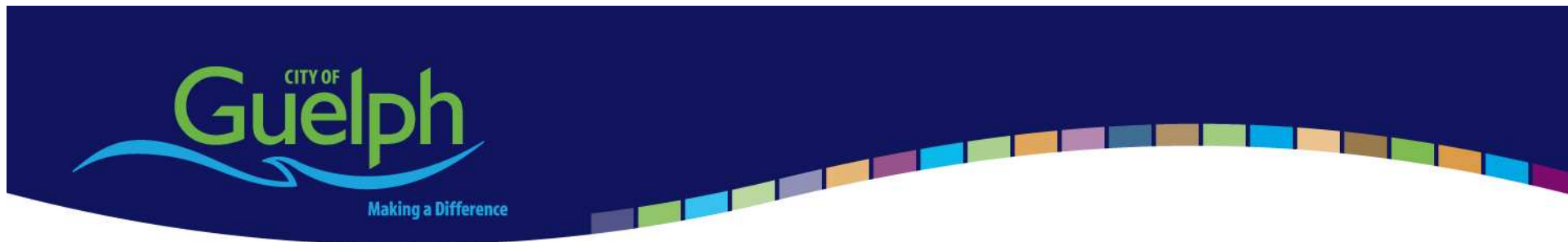
Diversity Strategy

An Overview

What is Diversity?

- Not defined just by race or gender
- Also encompasses age, culture, education, ability, personality, skills and life experiences

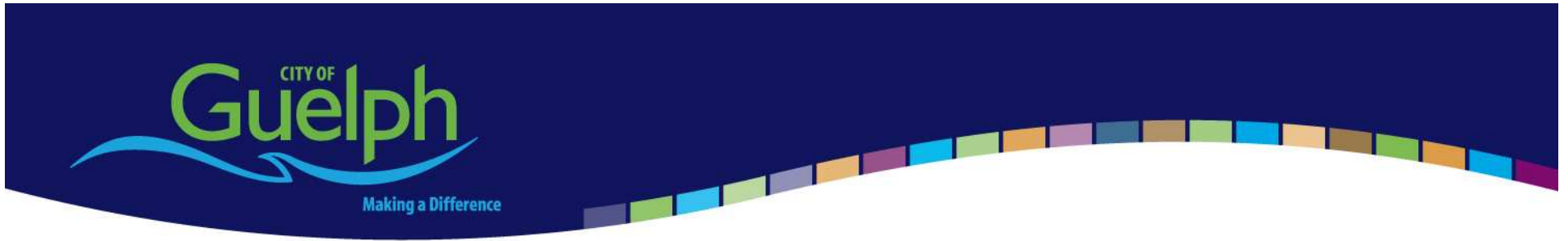




Why a Diversity Strategy?



- To help grow and keep the talent we need for our future at the City of Guelph
- To improve our ability to attract talent in a competitive environment
- To meet the legal requirements of the Accessibility for Ontarians with Disabilities Act
- To improve our ability to predict and respond to our communities changing interests



The Mission ...

The mission of the Diversity Strategy is to support a **well workplace**, where a **respect for diversity** contributes to positive employment experiences and the **creation and delivery of services** that are reflective of the community we serve.

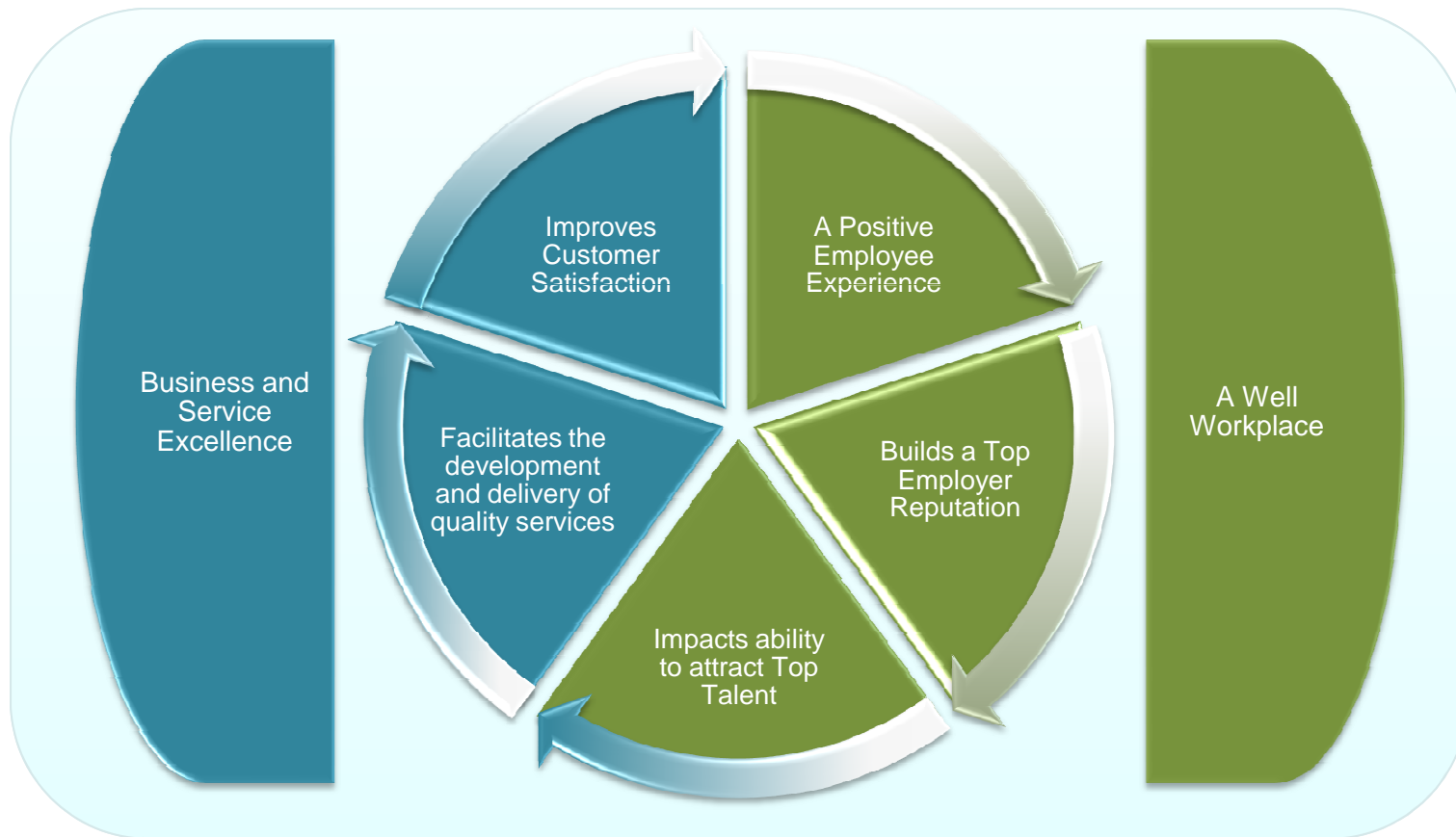


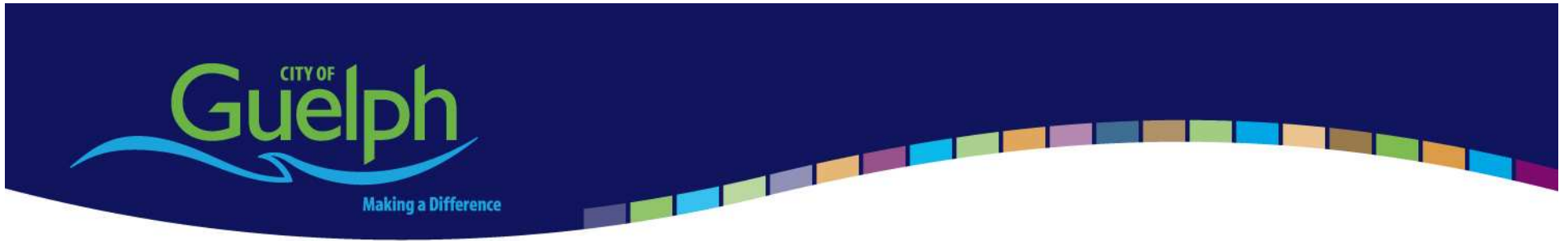


Guiding Principle...

A Well Workplace leads to Business and Service Excellence

Guiding Principle...





The Goals ...

There are three goals for this strategy, focusing on

Our People

Our Employment Systems

Our Community

1 Our People

Support a
Workforce that
is reflective of
the
Community
we Serve

“As an employer, we are committed to developing opportunities that promote the attraction, recruitment, development and retention of staff in a manner that will support a workforce that is reflective of our community.”

Action Items

- Provide training to staff on Diversity
- Post our positions more broadly within the community
- Provide accessible communications on our website
- Conduct a formal employee satisfaction survey

2 Our Employment Systems

Ensure
Equity in our
Employment
Systems

“As an employer, we are committed to creating a fair and equitable workplace with employment systems that allow everyone to participate fully and with respect for their diversity.”

Action Items

- Conduct a Workforce Census
- Conduct an Employment Systems Review
- Develop an Employment Systems Action Plan

3 Our Community

Plan and Deliver
Services that are
Reflective of our
Community's
Interests

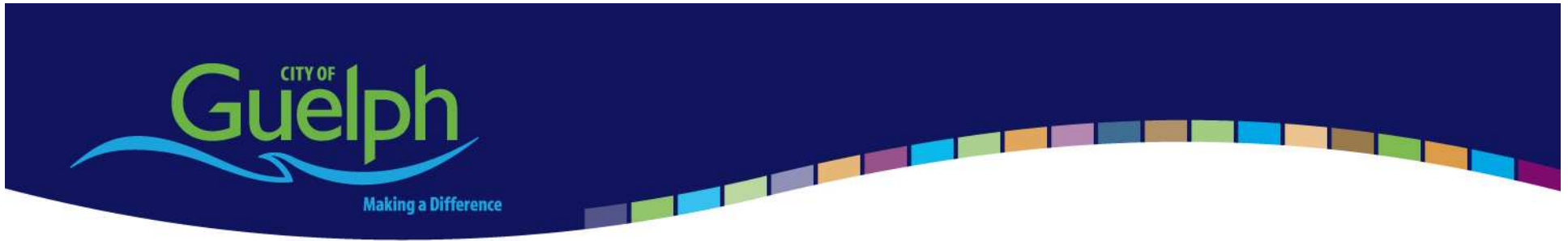
“As a City, we are committed to achieving excellence in our service delivery, and to engaging with the community to provide quality, innovative services that are valued by our stakeholders.”

Action Items

- Engage the Diversity Committee as a resource in service planning
- Diversify participation in public engagement activities
- Improve diverse communications to the community

Alignment to Other Initiatives





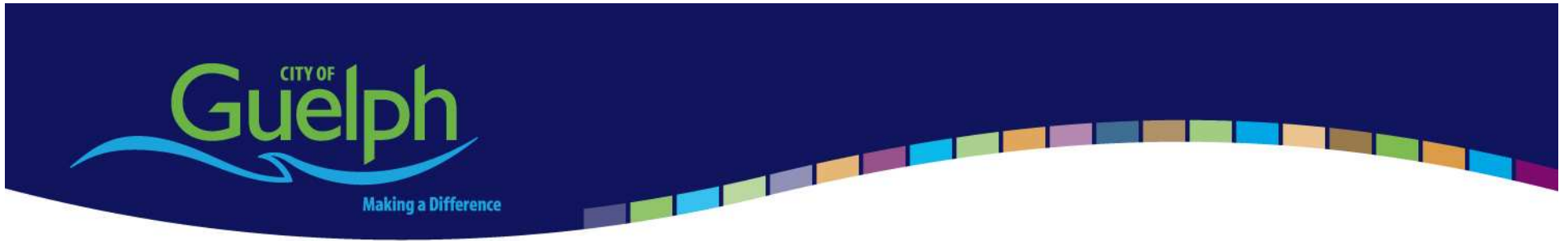
Expected Outcomes: Measuring Success

Measures have been identified to evaluate our success in:

- Achieving a workforce that is reflective of the community
- Improving employee engagement
- Achieving recognition as a top employer
- Diversifying participation among staff in corporate programs and committees

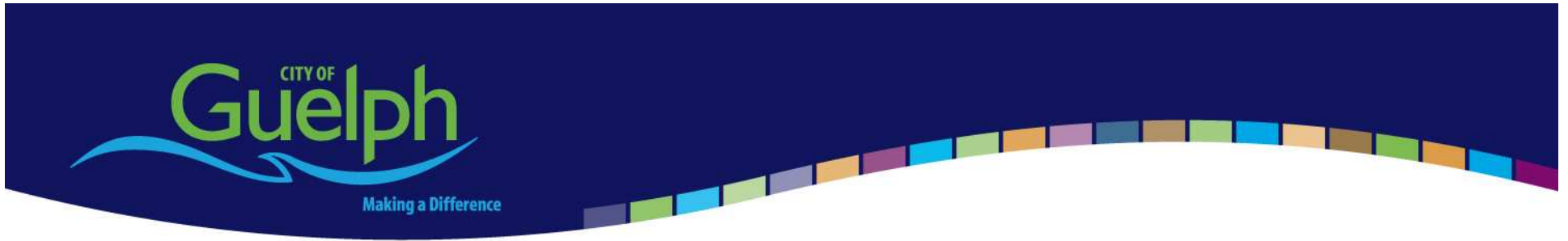
Other outcomes include:

- An Employment Systems Action Plan
- Integration of diversity awareness in our service planning and evaluation



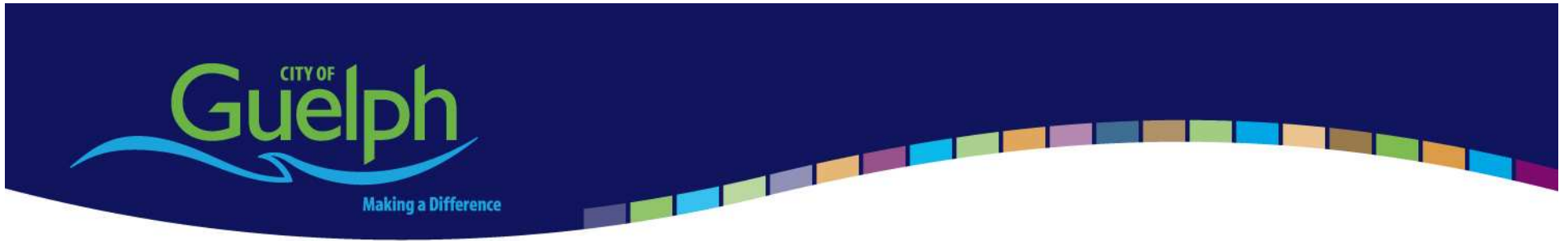
Roles

- Steering Committee
- Executive Team
- Leadership
- All Staff
- Union Executives
- Community Allies



Recommendation

That Council approve the Diversity Strategy



Questions

CONSENT REPORT OF THE OPERATIONS & TRANSIT COMMITTEE

November 28, 2011

Her Worship the Mayor and
Councillors of the City of Guelph.

Your Operations & Transit Committee beg leave to present their NINTH
CONSENT REPORT as recommended at its meeting of November 21, 2011.

*If Council wishes to address a specific report in isolation please identify
the item. The item will be extracted and dealt with immediately. The
balance of the Consent Report of the Operations & Transit Committee
will be approved in one resolution.*

1) Service Fact Sheet: Horticultural Displays for Community Beautification; and Property Demarcation Policy Service Review

THAT the Operations & Transit Committee Report OT111160 `Service Fact
Sheet: Horticultural Displays for Community Beautification and Property
Demarcation Policy Service Review dated November 21, 2011 be received;

AND THAT a Service Review be conducted on the Property Demarcation
Policy and related implementation practices.

2) Land Use Agreement – St. Joseph’s Health Centre

THAT the Operations & Transit Committee Report OT111158 `Land Use
Agreement – St. Joseph’s Health Centre’ dated November 21, 2011, be
received;

AND THAT the Mayor and City Clerk be authorized to sign a Land Use
Agreement with the St. Joseph’s Health Centre satisfactory to the Executive
Director of Operations & Transit (or the designate) and the City Solicitor (or
designate).

All of which is respectfully submitted.

Councillor Findlay, Chair
Operations & Transit Committee

***PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE
AGENDA FOR THE NOVEMBER 21, 2011 MEETING.***

CONSENT AGENDA

November 28, 2011

Her Worship the Mayor
and
Members of Guelph City Council.

SUMMARY OF REPORTS:

The following resolutions have been prepared to facilitate Council's consideration of the various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Agenda will be approved in one resolution.

A Reports from Administrative Staff

REPORT	DIRECTION
<p>A-1) 25 ERVIN CRESCENT – UPCOMING ONTARIO MUNICIPAL BOARD HEARING (A-74/11)</p> <p>THAT Report 11-103 dated November 28, 2011 regarding an appeal from the Committee of Adjustment Decision A-74/11 refusing a minor variance to Interim Control By-law (2010)-19019 to permit the establishment of an accessory apartment at 25 Ervin Crescent, City of Guelph, from Planning & Building, Engineering and Environment be received;</p> <p>AND THAT the City not be a party at any upcoming OMB proceedings regarding an appeal from the Committee of Adjustment's decision A-74/11 refusing a minor variance to Interim Control By-law Number (2010)-19019 to permit the establishment of a bachelor accessory apartment having a gross floor area of 62.4 m² at 25 Ervin Crescent.</p>	Approve
<p>A-2) AMENDING AGREEMENTS – WURTH CANADA LIMITED</p> <p>THAT the report dated November 28, 2011 from Economic Development & Tourism Services regarding Amending Agreements to a <i>Development Charge Early Payment Agreement</i> and an <i>Offer to Purchase/Agreement of Purchase and Sale</i> between the City of Guelph and Wurth Canada Limited, be received;</p> <p>AND THAT the Mayor and Clerk be authorized to execute an <i>Amending Development Charge Early Payment Agreement</i> as well as an <i>Amending Offer to Purchase/Agreement of Purchase and Sale</i>, between the City of Guelph and Wurth Canada Limited, satisfactory to the General Manager of Economic Development & Tourism Services, the City Solicitor and the</p>	Approve

acting Chief Financial Officer, and as outlined in this report, for the lands described as all of Block 9, Registered Plan 61M-169 in the Hanlon Creek Business Park.

B ITEMS FOR DIRECTION OF COUNCIL

B-1) 2011 SPARKLES IN THE PARK – FIREWORK EXEMPTION REQUEST

Approve

THAT the request from the Rotary Club of Guelph to provide a fireworks display at Riverside Park on December 31, 2011, be approved subject to the Rotary Club of Guelph meeting the terms and conditions of Emergency Services;

AND THAT the Rotary Club of Guelph obtain liability insurance coverage in the amount of \$5,000,000 with the City of Guelph names as an additional insured party, and provide a certificate indicating such coverage, be submitted to the City of Guelph prior to the event;

AND THAT the City accepts no responsibility for any liability that arises out of granting this permission for use of City property and facilities;

AND THAT staff be directed to work with the event organizers to mitigate noise and address any potential impacts relating to the natural habitat surrounding the site prior to discharging the fireworks.

C ITEMS FOR INFORMATION OF COUNCIL

attach.

COUNCIL REPORT

TO **Guelph City Council**

SERVICE AREA Planning & Building, Engineering and Environment
DATE November 28, 2011

**SUBJECT 25 Ervin Crescent
Upcoming Ontario Municipal Board Hearing (A-74/11)
Ward 5**

REPORT NUMBER 11-103

SUMMARY

Purpose of Report

This report provides a Staff recommendation for the City to not be a party at an upcoming Ontario Municipal Board (OMB) hearing regarding the appeal of a Committee of Adjustment decision refusing a minor variance to Interim Control By-law No. (2010)-19019 to permit the establishment of a 62.4 m² bachelor accessory apartment at 25 Ervin Crescent.

Council Action

Council is to decide whether or not to direct Staff to attend the OMB hearing in support of the Committee of Adjustment's decision.

RECOMMENDATION

"THAT Report 11-103 dated November 28, 2011 regarding an appeal from the Committee of Adjustment Decision A-74/11 refusing a minor variance to Interim Control By-law Number (2010)-19019 to permit the establishment of an accessory apartment at 25 Ervin Crescent, City of Guelph, from Planning & Building, Engineering and Environment be received;

AND THAT the City not be a party at any upcoming OMB proceedings regarding an appeal from the Committee of Adjustment's decision A-74/11 refusing a minor variance to Interim Control By-law Number (2010)-19019 to permit the establishment of a bachelor accessory apartment having a gross floor area of 62.4 m² at 25 Ervin Crescent."

BACKGROUND

Location: The subject property is located on the westerly side of Ervin Crescent, north of the Ironwood Road and Kortright Road West intersection (Schedule 1). There is an existing detached dwelling that was constructed in 1982 on the subject property.

Current Zoning: The subject property is zoned R.1B Zone under Zoning By-law (1995)-14864 which permits detached dwellings, accessory apartments, bed and breakfast establishments, day care centres, group homes, home occupations and Lodging Houses Type 1. Accessory apartments are permitted provided that the regulations in Section 4.15 of the Zoning By-law are met.

In June of 2010, Council also passed Interim Control By-law No. (2010)-19019 prohibiting the use of land, buildings or structures for a "Lodging House Type 1" and/or an "Accessory Apartment" in R.1 and R.2 Zones for properties within Ward 5 and Ward 6, east of the Hanlon Expressway. Following the passage of the Interim Control By-law and subsequent study, in September 2010, Zoning By-law (2010)-19076 was passed. This by-law amended the City's Zoning By-law to require new regulations for two unit dwellings and lodging houses.

By-law (2010)-19076 was appealed to the OMB and until the appeal is resolved the Interim Control By-law remains in place. As such, the establishment of an accessory apartment or Lodging House Type 1 at 25 Ervin Crescent is not permitted.

Application Details: The Committee of Adjustment considered application (A-74/11) on September 13, 2011, requesting a minor variance to Interim Control By-law Number (2010)-19019 to permit the establishment of a bachelor accessory apartment having a gross floor area of 62.4m² at 25 Ervin Crescent; whereas the Interim Control By-law does not permit the establishment of an accessory apartment or a lodging house in this instance. No minor variances to Zoning By-law (1995)-14864 were requested.

The application was refused by the Committee. Subsequently, the applicant appealed the Committee's decision to the OMB. The applicant appealed the Committee's decision on the basis that:

- The requested variance is minor in nature as it meets the current and proposed regulations and it does not negatively impact the neighbourhood;
- The variance is reasonable and desirable for development of the property and is appropriate in a residential community. If the Interim Control By-law was not in place the accessory apartment could be registered;
- The general intent and purpose of the Zoning By-law is maintained as the accessory apartment is in keeping with the City's vision to provide shared rental housing;

-
- The general intent and purpose of the Official Plan is maintained as the accessory apartment provides low income housing to Guelph residents as well as intensifying the property.

REPORT

Committee of Adjustment Decision: At the September 13, 2011 Committee of Adjustment meeting, Planning Staff recommended that the minor variance application for 25 Ervin Crescent be refused. The comments that Planning Staff provided to the Committee of Adjustment indicated that the general intent and purpose of the Interim Control By-law is to prohibit the establishment of any new accessory apartments until such time as a study is complete and new Zoning regulations are in place to address public concerns surrounding shared rental housing. At that time, the comments indicated that as the request is to permit a new accessory apartment, it does not meet the general intent and purpose of the Interim Control By-law (Schedule 3).

The Planning comments also outlined that the accessory apartment would comply with the proposed Zoning Regulations regarding two-unit dwellings which are currently under appeal to the OMB since the dwelling only has a total of 5 bedrooms and two-unit dwellings with 5 bedrooms or less would be permitted by the new regulations. Further, Staff comments indicated that the accessory apartment complies with Section 4.15 (Residential Intensification) of the Zoning By-law and would be permitted if the Interim Control By-law was not in effect.

After considering Staff comments, hearing from the applicant and reviewing correspondence received from area residents (Schedule 4), the Committee of Adjustment refused the minor variance application (Schedule 5). The Committee's decision to refuse the minor variance request was in keeping with the recommendation from Planning Staff.

The applicant submitted an appeal on September 26, 2011 (Schedule 6).

An OMB hearing has not yet been scheduled for this appeal. It is anticipated that the OMB hearing will be scheduled for one day.

For Council's information, the applicant has indicated that the accessory apartment has existed since the purchase of the property in 2009, however, the City's records indicate that a building permit has not been obtained for the construction of an accessory apartment. As such, the accessory apartment has not yet been formally established.

OMB Appeal – Planning Analysis: Planning Staff recommend that the City not be a party at any future OMB proceedings for this appeal as there is no significant municipal interest in the application.

The general intent and purpose of the Interim Control By-law is to prohibit the establishment of new accessory apartments until such time as a study is complete, and new zoning regulations are passed by Council and in effect which address

public concerns surrounding shared rental housing.

Resulting from the Shared Rental Housing study, By-law (2010)-19076 was passed by City Council in September 2010 which introduced new zoning regulations for two-unit dwellings and lodging houses. This By-law was subsequently appealed and is the subject of an OMB hearing. Until such time as there is an OMB decision regarding By-law (2010)-19076, the Interim Control By-law will remain in place. As previously indicated, the dwelling at 25 Ervin Crescent has a total of five bedrooms in the entire building. The proposed accessory apartment would comply with the regulations for two-unit dwellings which are currently under appeal.

At this time, the study regarding shared rental housing is complete and Council has passed new zoning regulations which are not yet in effect because of the appeal. Staff do not anticipate that any future OMB decision will introduce more stringent requirements for two-unit dwellings than the regulations passed by Council in By-law (2010)-19076.

It is also noted for Council's information that in those areas of the City where the Interim Control By-law is not in place, the Zoning By-law permits the establishment of an accessory apartment in a detached or semi-detached dwelling provided that all of the regulations in Section 4.15 (Residential Intensification) of the Zoning By-law can be met. In this instance, the proposed accessory apartment complies with Section 4.15 of the Zoning By-law and would be permitted if the Interim Control By-law was not in place. We note that the maximum number of bedrooms permitted in an accessory apartment is two and the subject accessory apartment has one bedroom. In the future, if the applicant increases the number of bedrooms in the accessory apartment or the main dwelling unit, then a building permit would be required and the zoning regulations in place at that time would be applicable.

The requested variance to permit the establishment of an accessory apartment does not meet the general intent and purpose of the Interim Control By-law. However, because the proposed accessory apartment complies with the existing regulations in Zoning By-law (1995)-14864 and would comply with the proposed regulations for two-unit dwellings which were passed under By-law (2010)-19076 and are currently under appeal, Planning Staff are recommending that the City not be a party at any future OMB proceedings as there is no significant municipal interest in the application.

CORPORATE STRATEGIC PLAN

N/A

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

N/A

ATTACHMENTS

Schedule 1 – Location Map

Schedule 2 – September 13, 2011 Notice of Meeting

Schedule 3 – September 13, 2011 Comments from Staff, Public & Agencies

Schedule 4 – September 13, 2011 Committee of Adjustment Meeting Minutes

Schedule 5 – Committee of Adjustment Decision

Schedule 6 – Appeal

(Complete Report, including Schedules 2 to 6 available, at guelph.ca, Quick Link, Active Development Files)

Prepared By:

Rita Kostyan
Development Planner
519-837-5616, ext 2751
rita.kostyan@guelph.ca

Recommended By:

Robert Walters
Manager of Development Planning
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Original Signed by:

Recommended By:

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Original Signed by:

Recommended By:

Janet L. Laird, Ph.D.
Executive Director
Planning & Building,
Engineering and Environment
519-822-1260, ext 2237
janet.laird@guelph.ca

SCHEDULE 1 – Location Map



SCHEDULE 2 – September 13, 2011 Notice of Meeting

COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC MEETING



An Application for Minor Variance(s) has been filed with the Committee of Adjustment.

**LOCATION
of PROPERTY:** 25 Ervin Crescent

PROPOSAL: The applicant has constructed a 62.4 square metre (672 square foot) bachelor basement apartment in the basement.

**BY-LAW
REQUIREMENTS:** The property is located in the Residential (R.1B) Zone.
Variance from Interim Control By-law (2010)-19019, is being requested.

The Interim Control By-law passed by Guelph City Council on June 7, 2010 directed staff to undertake a review of the zoning regulations pertaining to accessory apartments and lodging houses in R.1 and R.2 zoned portions of Ward 5 and all of Ward 6 for the purpose of recommending zoning amendments to address issues associated with the concentration of shared rental housing in addition to complementary strategic initiatives to address the issues. Recommendations were considered by Guelph City Council on September 20, 2010 and Council passed By-law Number (2010)-19076 which introduced modified regulations for accessory apartments. This By-law has now been appealed to the Ontario Municipal Board (OMB). Until a decision is made by the OMB, Interim Control By-law will remain in effect.

REQUEST: The applicant is seeking relief from the Interim Control By-law (2010)-19019 requirements to permit a 62.4 square metre (672 square foot) bachelor accessory unit. The property is subject to the Interim Control By-law as it is located in Ward 5.

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

DATE OF HEARING	September 13, 2011
APPLICATION WILL BE HEARD	4:45 p.m. City Hall 1 Carden Street, Guelph, Ontario
APPLICATION NUMBER	A-47/11

HOW DO I PROVIDE COMMENTS?

You may provide your comments, in support or opposition, regarding this application:

By appearing at the Public Hearing:

Please advise the Secretary-Treasurer of the Committee of Adjustment of your intention to appear before the Committee.

In Writing:

Written comments received by September 8, 2011 will be forwarded to the Committee members. Comments submitted after this date will be summarized at the hearing.

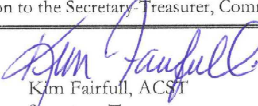
By Mail: Secretary Treasurer, Committee of Adjustment,
City of Guelph, 1 Carden Street, Guelph, ON N1H 3A1
By Fax: 519-822-4632
By Email: cofa@guelph.ca

HOW DO I GET MORE INFORMATION?

In Person: City Hall, 1 Carden Street, 3rd Floor
By Telephone: 519-837-5615, Ext. 2524

HOW DO I RECEIVE NOTIFICATION OF THE DECISION?

You *must* make a written request for Notice of Decision to the Secretary-Treasurer, Committee of Adjustment.

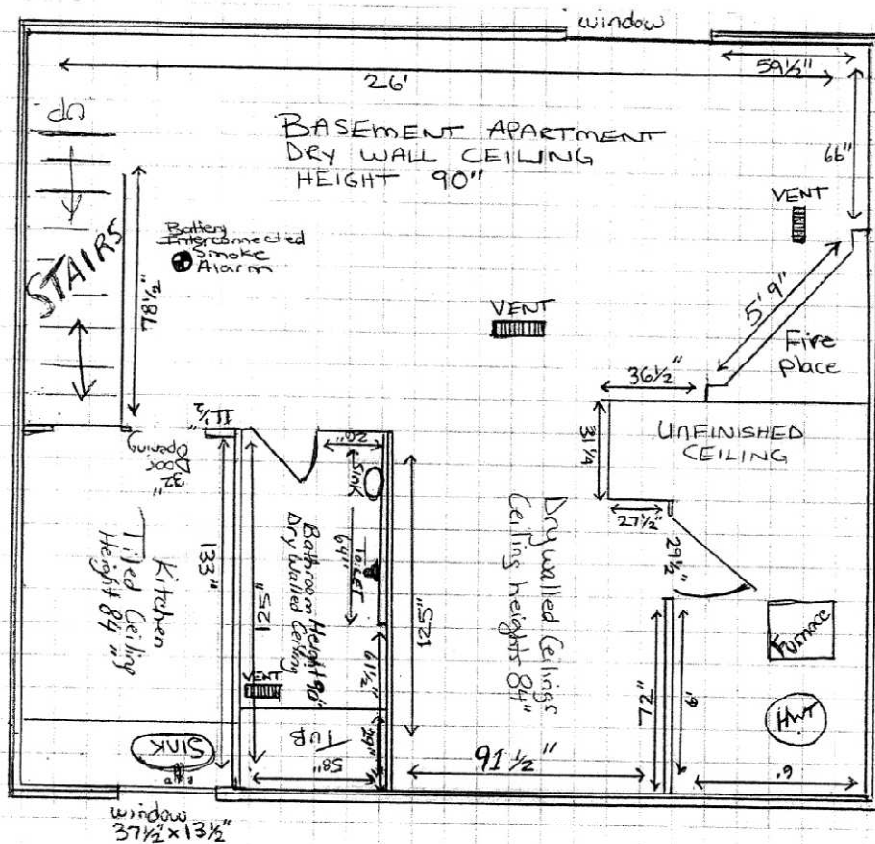

Kim Fairfull, ACST
Secretary-Treasurer
Committee of Adjustment

Dated this 26th day of August, 2011

Page 2 of 13



SCHEDULE 2 – September 13, 2011 Notice of Meeting (continued)



SCHEDULE 3 – September 13, 2011 Comments from Staff, Public & Agencies

COMMITTEE OF ADJUSTMENT COMMENTS FROM STAFF, PUBLIC & AGENCIES



APPLICATION DETAILS

APPLICATION NUMBER: A-74/11
LOCATION: 25 Ervin Crescent
DATE AND TIME OF HEARING: September 13, 2011 at 4:45 PM
APPLICANT: Alexandria Donis
AGENT: n/a
OFFICIAL PLAN DESIGNATION: General Residential
ZONING BY-LAW: Residential Single Detached (R.1B) Zone

REQUEST: Variance from Interim Control By-law (2010)-19019.

CONDITIONS RECOMMENDED: NOT APPLICABLE.

COMMENTS

ENGINEERING SERVICES:

We have no concern with the requested bachelor accessory apartment size variance from an Engineering perspective. However, upon examining Planning staffs comments and recommendations and Zoning staffs comments and recommendation, Engineering staff can support their comments and recommendations for refusal.

PLANNING SERVICES:

Planning staff have concerns with the requested variance to Interim Control By-law (2010)-19019. The general intent and purpose of the Interim Control By-law is to not permit the establishment of new accessory apartments until such time as a study is complete and new Zoning regulations are in place to address public concerns surrounding shared rental housing. As the requested variance is to permit a new accessory apartment, it does not meet the general intent and purpose of the Interim Control By-law and should be refused.

We advise the Committee that City Council considered amendments to the Zoning By-law regarding Two Unit Houses and Lodging Houses and passed By-law (2010)-19076 which introduced modified regulations. The amending By-law has been appealed to the Ontario Municipal Board. The proposed modifications include adding minimum separation distance requirements for Two-Unit Dwellings with 6 or more bedrooms; limiting the number of lodging units in a Lodging House Type I to a maximum of 8; and clarifying definitions.

The dwelling at 25 Ervin Crescent has three (3) bedrooms on the second floor, one (1) bedroom on the main floor and an additional bedroom in the accessory basement apartment for a total of five (5) bedrooms within the entire building. The proposed new regulations for two-unit dwellings, which are currently under appeal, would not apply to the subject dwelling as there are less than six (6) bedrooms proposed in the entire building.

The proposed accessory apartment complies with Section 4.15 of the Zoning By-law and would be permitted if the Interim Control By-law was not in effect.

The requested variance does not meet the general intent and purpose of the Interim Control By-law and therefore should be refused.

PERMIT AND ZONING ADMINISTRATOR:

The Zoning Division of Planning and Building Services have concerns with the proposed variance to permit an accessory apartment. An Interim control by-law was passed by City Council for this Ward to not permit new accessory apartments until such time as new zoning regulations could be implemented. The host unit has 4

Mailing Address: City Hall, 1 Carden Street, Guelph ON N1H 3A1 **Web Site:** guelph.ca
Building Office: 1 Carden Street, 3rd Floor, Guelph ON. Tel: 519-837-5615, Fax: (519) 822-4632, Email: cofa@guelph.ca

SCHEDULE 3 – September 13, 2011 Comments from Staff, Public & Agencies (continued)

COMMITTEE OF ADJUSTMENT COMMENTS FROM STAFF, PUBLIC & AGENCIES



bedrooms, therefore proposing 5 bedrooms total (one bedroom in basement.) Zoning recommends refusal of this application until such time as the Interim Control By-law issues have been rectified.

GUELPH HYDRO:

No comment.

GRAND RIVER CONSERVATION AUTHORITY:

No comment.

REPORT COMPILED BY: MINNA BUNNETT

SEE ATTACHED CORRESPONDENCE.

SCHEDULE 4 – September 13, 2011 Committee of Adjustment Meeting Minutes

Application: A-47/11

Applicant: A. Donis

Agent: A. Donis

Location: 25 Ervin Crescent

In Attendance: Alexandra Donis
Anthony Archer
Pat Scriver
Irene Midelraad
Norm Lawrence
Marius Roland
Greg and Kate Watson

Chair L. McNair questioned if the sign had been posted in accordance with Planning Act requirements.

Ms. Donis replied the notice sign was posted and comments were received. She explained she purchased the property two years ago and all renovations, including the bachelor apartment existed at that time. She noted they did not determine at that time if permits were in place. She explained the apartment complies with the By-law and would be permitted if the Interim Control by-law was not in effect. She explained her son is attending the University of Guelph and will remain in the dwelling while at university. She advised the property contains a pool and is not considered a property purchased for financial gain only. She advised she has positive relations with her neighbours and they have her contact information if any problems occur at the dwelling. She did explain they had a few concerns this summer as the pool company did not open the pool until late June and the student residing in the dwelling did not cut the lawn, as had been agreed to.

Mr. Archer addressed the comments submitted from neighbours and noted the house is maintained. He noted most students cannot afford vehicles and one vehicle only is parked at the residence.

Committee member D. Kelly questioned why the application has brought forward in the first place.

The Secretary-Treasurer advised the application was submitted in response to pro-active enforcement.

Chair L. McNair questioned how many bedrooms existed in the dwelling.

Ms. Donis replied 4 bedrooms existed upstairs and bachelor unit downstairs.

Chair L. McNair questioned if the living room was converted to a bedroom.

Ms. Donis replied she narrowed the door.

SCHEDULE 4 – September 13, 2011 Committee of Adjustment Meeting Minutes

Greg Watson explained he resided on Steffler Drive. He objected to the application to the creation of the accessory apartment. He explained the property has not been maintained and the pool was finally opened after complaints from neighbours. He explained there are constant parties on the street. He noted this property was up for sale this year and they could not get a buyer. He explained there are various times when the driveway is full of cars and they have to rely on on-street parking.

Committee member R. Funnell explained to the neighbours the owner would be able to retain the accessory apartment if the Interim Control By-law was not in place as it complies with both the existing zoning regulations and proposed zoning regulations.

Kate Watson explained the house is in disrepair and the chimney is falling apart. She expressed concern the approval would set a precedent. She explained when they moved on the street there was 2 student houses, now there are 9 student houses.

Pat Scriver expressed concern about the lack of on-street parking on the street.

Planner R. Kostyan noted the width of the driveway is sufficient to support the parking of two cars.

Mr. Archer explained they have heard there is a concern about parking and advised it will be addressed. He further explained they have quotes on the repair of the chimney and will have the top end re-built at the end of September. He noted they have an open dialogue with the neighbours and it is the first they have heard some of these complaints.

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by R. Funnell seconded by D. Kelly,

“THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from Interim Control By-law (2010)-19019, to permit a 62.4 square metre (672 square foot) bachelor basement apartment when the By-law passed by Guelph City Council on June 7, 2010 prohibits the creation of accessory units in R.1 and R.2 zoned portions of Ward 5 and all of Ward 6, be refused.”

Reasons for refusal being –

The intent of the Interim Control By-law has not been met and therefore does not meet the tests for minor variance in the Planning Act.”

Carried

SCHEDULE 5 – Committee of Adjustment Decision

DECISION

COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER A-74/11



The Committee, having considered whether or not the variance(s) are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, passed the following resolution:

"THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from Interim Control By-law (2010)-19019, to permit a 62.4 square metre (672 square foot) bachelor basement apartment when the By-law passed by Guelph City Council on June 7, 2010 prohibits the creation of accessory units in R.1 and R.2 zoned portions of Ward 5 and all of Ward 6, be refused."

Reasons for refusal being –

1. The intent of the Interim Control By-law has not been met and therefore does not meet the tests for minor variance in the Planning Act."

Members of Committee
Concurring in this Decision

I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on Sep 13, 2011.

Dated: September 16, 2011

Signed:

The last day on which a Notice
of Appeal to the Ontario
Municipal Board may be filed
is Oct 3, 2011.

Committee of Adjustment

T 519-837-5615
F 519-822-4632
E cofa@guelph.ca

SCHEDULE 6 – Appeal



Environment and Land Tribunals Ontario
Ontario Municipal Board
 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5
 TEL: (416) 212-6349 or Toll Free: 1-866-448-2248
 FAX: (416) 326-5370
 www.eltb.gov.on.ca

APPELLANT FORM (A1) PLANNING ACT

**SUBMIT COMPLETED FORM
TO MUNICIPALITY/APPROVAL AUTHORITY**

COPY



Receipt Number (OMB Office Use Only)

Part 1: Appeal Type (Please check only one box)

SUBJECT OF APPEAL	TYPE OF APPEAL	PLANNING ACT REFERENCE (SECTION)
Minor Variance	<input checked="" type="checkbox"/> Appeal a decision	45(12)
Consent/Severance	<input type="checkbox"/> Appeal a decision	53(19)
	<input type="checkbox"/> Appeal conditions imposed	
	<input type="checkbox"/> Appeal changed conditions	53(27)
	<input type="checkbox"/> Failed to make a decision on the application within 90 days	53(14)
Zoning By-law or Zoning By-law Amendment	<input type="checkbox"/> Appeal the passing of a Zoning By-law	34(19)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law -- failed to make a decision on the application within 120 days	34(11)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law -- refused by the municipality	
Interim Control By-law	<input type="checkbox"/> Appeal the passing of an Interim Control By-law	38(4)
Official Plan or Official Plan Amendment	<input type="checkbox"/> Appeal a decision	17(24) or 17(36)
	<input type="checkbox"/> Failed to make a decision on the plan within 180 days	17(40)
	<input type="checkbox"/> Application for an amendment to the Official Plan -- failed to make a decision on the application within 180 days	22(7)
	<input type="checkbox"/> Application for an amendment to the Official Plan -- refused by the municipality	
Plan of Subdivision	<input type="checkbox"/> Appeal a decision	51(39)
	<input type="checkbox"/> Appeal conditions imposed	51(43) or 51(48)
	<input type="checkbox"/> Failed to make a decision on the application within 180 days	51(34)

Part 2: Location Information

Address and/or Legal Description of property subject to the appeal:

Municipality/Upper tier: City of Guelph

A1 Revised April 2010

Page 2 of 5

SCHEDULE 6 – Appeal (continued)

Part 3: Appellant Information

First Name: Alexandria Last Name: Donis

Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)

Professional Title (if applicable):

E-mail Address: [REDACTED]
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: [REDACTED] Alternate Telephone #: 905 471-1857

Fax #: [REDACTED]

Mailing Address: [REDACTED] MARKHAM
Street Address Apt/Suite/Unit# City/Town

Ontario 46B 1L3
Province Country (if not Canada) Postal Code

Signature of Appellant: [REDACTED] Date: Sept 26/11
(Signature not required if the appeal is submitted by a law office.)

Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please quote your OMB Reference Number(s) after they have been assigned.

Personal information requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, and the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal may become available to the public.

Part 4: Representative Information (if applicable)

I hereby authorize the named company and/or individual(s) to represent me:

First Name: Anthony Last Name: Archer

Company Name:

Professional Title:

E-mail Address: [REDACTED]

By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: [REDACTED] Alternate Telephone #: [REDACTED]

Fax #: [REDACTED]

Mailing Address: [REDACTED] Toronto
Street Address Apt/Suite/Unit# City/Town

Ontario m4L 3Y9
Province Country (if not Canada) Postal Code

Signature of Appellant: [REDACTED] Date: Sept 26/11

Please note: If you are representing the appellant and are NOT a solicitor, please confirm that you have written authorization, as required by the Board's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

☒ I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

SCHEDULE 6 – Appeal (continued)

Part 5: Language and Accessibility

Please choose preferred language: ☒ English ☐ French

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.

Part 6: Appeal Specific Information

1. Provide specific information about what you are appealing. For example: Municipal File Number(s), By-law Number(s), Official Plan Number(s) or Subdivision Number(s):

(Please print)

appealing a variance from the Interim
Control By-law (2010)-19019

2. Outline the nature of your appeal and the reasons for your appeal. Be specific and provide land-use planning reasons (for example: the specific provisions, sections and/or policies of the Official Plan or By-law which are the subject of your appeal - if applicable). **If more space is required, please continue in Part 9 or attach a separate page.

(Please print)

Please see attached

THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE PLANNING ACT.

- a) **DATE APPLICATION SUBMITTED TO MUNICIPALITY:** _____
(If application submitted before January 1, 2007 please use the O1 'pre-Bill 51' form.)

- b) Provide a brief explanatory note regarding the proposal, which includes the existing zoning category, desired zoning category, the purpose of the desired zoning by-law change, and a description of the lands under appeal:
**If more space is required, please continue in Part 9 or attach a separate page.

Part 7: Related Matters (if known)

Are there other appeals not yet filed with the Municipality? YES ☐ NO ☒

Are there other planning matters related to this appeal? YES ☐ NO ☒

(For example: A consent application connected to a variance application)

If yes, please provide OMB Reference Number(s) and/or Municipal File Number(s) in the box below:

(Please print)

SCHEDULE 6 – Appeal (continued)

Question 2 of Page 4 of 5

2. I feel the variance is minor in nature because it meets old and newly proposed regulations. It does not impact the neighbourhood in any negative way.

This variance is reasonable and desirable for development of the property because if the Interim By-law was not in place, ~~it~~ I would be able to register the apartment. This is appropriate in a residential community.

The general intent and purpose is being maintained because this is in line with the city's vision to provide shared rental housing. I am providing residence by way of legal lease and I am bound by that lease by the landlord tenant act. This provides housing to lower income housing to a Guelph resident.

The City's Official Plan is being maintained because it provides lower income housing as well as intensified the density.

COUNCIL REPORT

TO **Guelph City Council**

SERVICE AREA Economic Development & Tourism Services – The Office of the CAO

DATE November 28, 2011

SUBJECT Amending Agreements – Wurth Canada Limited

REPORT NUMBER

SUMMARY

Purpose of Report:

To recommend amendments requested by Wurth Canada Limited to:

1. A Development Charge Early Payment Agreement, and
2. An Offer to Purchase/Agreement of Purchase and Sale between the City of Guelph and Wurth Canada Limited.

Council Action:

To obtain Council's approval for amendments to:

1. The Development Charge Early Payment Agreement, and
2. The Offer to Purchase/Agreement of Purchase and Sale between the City of Guelph and Wurth Canada Limited.

RECOMMENDATION

"That the report dated November 28, 2011 from Economic Development & Tourism Services regarding Amending Agreements to a *Development Charge Early Payment Agreement* and an *Offer to Purchase/Agreement of Purchase and Sale* between the City of Guelph and Wurth Canada Limited, BE RECEIVED, and

That the Mayor and Clerk be authorized to execute an *Amending Development Charge Early Payment Agreement* as well as an *Amending Offer to Purchase/Agreement of Purchase and Sale*, between the City of Guelph and Wurth Canada Limited, satisfactory to the General Manager of

Economic Development & Tourism Services, the City Solicitor and the acting Chief Financial Officer, and as outlined in this report, for the lands described as all of Block 9, Registered Plan 61M-169 in the Hanlon Creek Business Park.”

BACKGROUND

Council at its October 4, 2010 meeting authorized the execution of a *Development Charge Early Payment Agreement* and an *Offer to Purchase/Agreement of Purchase and Sale* between the City of Guelph and Wurth Canada Limited. Both Agreements were executed by Wurth on December 17, 2010 and by the City on December 20, 2010.

Wurth originally anticipated starting construction in mid 2012 with a building occupancy date of mid 2013. Wurth now propose to start construction in October 2013 with building completion and occupancy in mid 2014. These revised dates were established to reflect construction funding from the German parent company and also to coincide with the holiday period for its customers from mid July to mid August (they require uninterrupted service to their customers and this period is ideal for their move).

The revised dates necessitate amendments to the start construction date of the executed *Offer to Purchase/Agreement of Purchase and Sale* as well as to the executed *Development Charge Early Payment Agreement*.

Also, due to these amendments, an extension to the Closing Date as stated in the *Offer to Purchase/Agreement of Purchase and Sale* is proposed. Currently the Closing Date is scheduled for November 30, 2011. The amended Closing Date will be December 14, 2011.

In discussing these changes, Wurth has made it clear that it is committed to moving forward with the purchase of the property as well as the construction of their new head office and distribution facility.

Evidence of Wurth’s commitment is the application it has made for both site plan approval and required minor variances to the zoning. A preliminary site plan was submitted to the City on September 21, 2011 and is presently being processed. An application for the required minor variances to the zoning was submitted to the Committee of Adjustment on October 25, 2011 and approved. The last day of the public appeal period was November 14, 2011 and no appeals were received.

REPORT

Development Charge Early Payment Agreement

The current Agreement requires Wurth to obtain its building permit prior to February 28, 2012. To coincide with their new construction start date of October 14, 2013, Wurth has requested an extension to October 14, 2012 to obtain its building permit. The building permit will remain valid for a one year period and this has been confirmed by Building Services.

All other terms and conditions contained in the original *Development Charge Early Payment Agreement* would remain in full force and effect.

Offer to Purchase/Agreement of Purchase and Sale

As previously stated an extension to the Closing Date has been discussed with Wurth to facilitate the execution of the Amending Agreements as well as the exchange of documents. It is proposed that this date will be amended from November 30, 2011 to December 14, 2011.

In addition the start construction date is to be amended. The current Agreement requires Wurth to start construction of its building within 18 months after the Closing Date. In order to accommodate Wurth's new construction schedule they have requested an extension to the start construction date to within 22 months of the new Closing Date. This would extend the start construction date from May 30, 2013 to October 14, 2013.

All other terms and conditions contained in the original *Offer to Purchase/Agreement of Purchase and Sale* would remain in full force and effect.

CORPORATE STRATEGIC PLAN

Goal 1 – Strategic Objective 1.6

Goal 3 – Strategic Objectives 3.1, 3.2, 3.3

FINANCIAL IMPLICATIONS

Development Charge Revenue – Under the existing Agreement, the saving to Wurth would have been \$172,649.05. The extended deadline would result in an estimated saving to Wurth of approximately \$370,000.00. In either case, the reduction, together with other exemptions and phase-ins result in the development charges collected being insufficient to fund capital projects to the same extent that they had been estimated in the calculation of the development charge rates. This shortfall must be made up from property taxes and user rates.

Estimated Projected Annual Tax Revenue - \$200,000.00

Land Sale Revenue on Closing of \$3,103,880.00.

DEPARTMENTAL CONSULTATION

Legal Services
Realty Services
Finance Services
Building Services

COMMUNICATIONS

N/A

ATTACHMENTS

Schedule A – Site Location
Schedule B – Wurth Canada Letter



Prepared By:

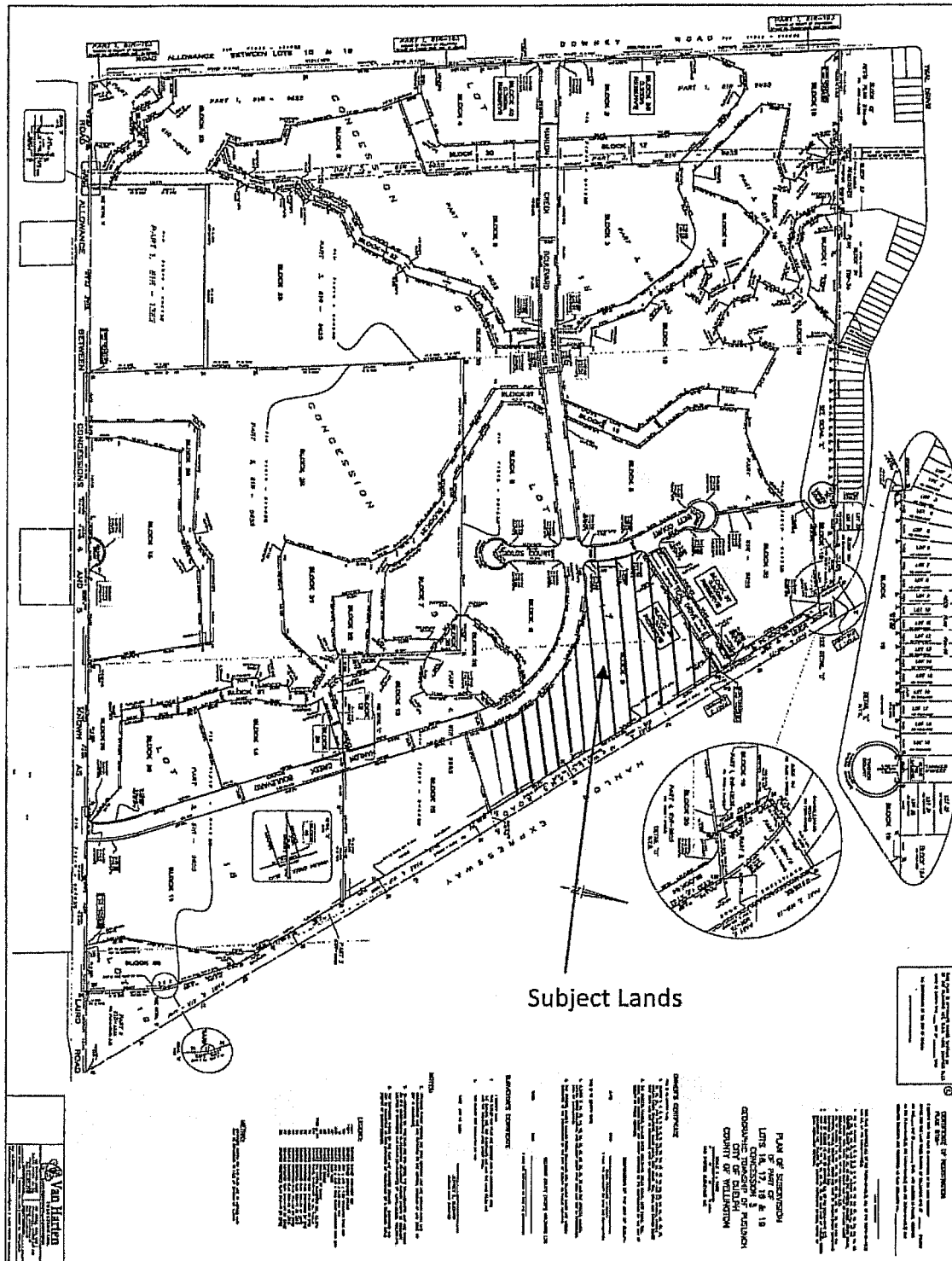
Jim Mairs
Sr. Business Development Specialist/
Assistant Manager
519-837-5600 x 2821
jim.mairs@guelph.ca



Reviewed By:

Peter Cartwright
General Manager of Economic
Development & Tourism Services
519-837-5600 x 2820
peter.cartwright@guelph.ca

Schedule "A" Site Location Map



185 The West Mall
Suite 1600
Toronto, Ontario
Canada M9C 5L5

MAIN +1 416 777 2200
FAX +1 416 626 5600

www.colliers.com



November 18, 2011

Jim Mairs
City of Guelph
City Hall
1 Carden Street
Guelph, Ontario N1H 3A1

Dear Mr Mairs,

Please find enclosed the original signed copy of the Amendment to Offer to Purchase/Agreement of Purchase and Sale and Development Charges Early Payment Agreement from Wurth Canada Limited.

Should you have any questions please contact me at 416-620-2812.

Sincerely,

A handwritten signature in black ink, appearing to read "Ashley Burke".

Ashley Burke, HBA
Colliers International





WURTH CANADA LIMITED/LIMITÉE
6330 Tomken Road
Mississauga, Ontario
L5T 1N2

Peter Cartwright
CITY OF GUELPH
General Manager, Economic Development & Tourism Services
City Hall, 1 Carden St.
Guelph, Ontario N1H 3A1

cc. Jim Mairs
Peter McKenna, Ashley Burke, Kevin Kelley
Marina Ushycky

Date:	Tel:	Fax:	E-Mail:
17 November 2011	905-362-4751	905-362-0363	esweeney@wurth.ca

Re: Amendment to Offer to Purchase/Agreement of Purchase and Sale and Development Charges Early Payment Agreement

Dear Mr. Cartwright,

This letter is to request amendments to the Offer to Purchase/Agreement of Purchase and Sale and the Development Charges Early Payment Agreement, between Würth Canada Limited (the "Purchaser") and The Corporation of the City of Guelph (the "Vendor").

The Purchaser herein agrees to the following amendments to the aforementioned agreements:

DEVELOPMENT CHARGE EARLY PAYMENT AGREEMENT:

- Amend Section 2(3) – Change issuance of building permit date from February 28, 2012 to October 14, 2012



OFFER TO PURCHASE/AGREEMENT OF PURCHASE AND SALE:

- Amend Closing Date – Change closing date from November 30, 2011 to December 14, 2011
- Amend Start Construction Date in Schedule B – Option to Repurchase Agreement - Change start construction date from within eighteen (18) after the date of purchase to within 22 months of the date of Purchase (October 14, 2013)

All other terms in the aforementioned agreements are to remain the same.

I trust you will find this to your satisfaction. Should you require additional clarification please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in blue ink, appearing to read "ES", is positioned above the typed name.

Ernest Sweeney
President and CEO
Würth Canada Limited

Rotary Club of Guelph

October 25, 2011

To Guelph City Council:

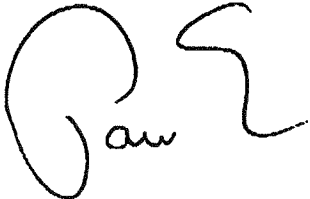
The Rotary Club of Guelph for the past 10 years has been hosting a new-year's eve party in Riverside Park. Complete with fireworks set off at a time for all ages.

The Guelph Rotary Club again this year is requesting an amendment to your Bylaws to allow our club to host a fireworks display in Riverside Park on December 31, 2011 at 8pm for all of the community. The display will be 10 to 15 minutes in length. Speakers will be used for music.

Kim Hodgson, Chief Fire Inspector has been notified and is working with our club and our fireworks provider. Northstar Fireworks Displays is the company which Rotary has hired. They have performed at this location for the past several years and have met all requirements set out by your city staff in the past.

You are all invited with the rest of the city to join us in celebrating the past year and bringing in the New Year just a little bit early for those of us who can't make it to midnight.

If you have questions please contact Paul Taylor, Sparkles in the Park at 519-822-1271 or e-mail at ptaylor@woodlawnmemorialpark.ca

A handwritten signature in black ink, appearing to read 'Paul Taylor', with a stylized flourish at the end.

Please recycle!

- **BYLAWS** -

- November 28, 2011 -	
By-law Number (2011)-19295 A by-law to appoint Robert J. Swayze, Barrister & Solicitor, as The Corporation of the City of Guelph Integrity Commissioner pursuant to Section 223.3 of the Municipal Act, 2001, as amended.	To appoint an Integrity Commissioner.
By-law Number (2011)-19296 A by-law to amend By-law Number (1991)-14008, (Animal Control By-law), to amend Section 1(a) adding the University of Guelph Campus Community Police and adopt Municipal Code Amendment #455, amending Chapter 105 of The Corporation of the City of Guelph's Municipal Code.	To amend the Animal Control By-law and to adopt Municipal Code Amendment #455.
By-law Number (2011)-19297 A by-law to authorize the re-conveyance of Lot 8, Registered Plan 61M167, City of Guelph to Armel Corporation.	To authorize re-conveyance of land to Armel Corporation.
By-law Number (2011)-19298 A by-law to authorize the execution of a Transfer Release and Abandonment of an Easement with respect to Part Lot 7, Concession 1, Division B (formerly Guelph Township), designated as Part 6, Reference Plan 61R11353, (now described as Lots 75 and 76, 61M167), City of Guelph.	To execute a Transfer Release and Abandonment of an Easement.
By-law Number (2011)-19299 A by-law to amend By-law Number (2008)-18656 with respect to the appointment of persons serving as By-law Enforcement Officers for the City of Guelph, to add Franklin and Berg.	To amend by-law to appoint By-law Enforcement Officers.
By-law Number (2011)-19300 A by-law to provide rules for governing the order and procedures of the Council of the City of Guelph, to adopt Municipal Code Amendment #456 and to repeal	To amend the Procedural By-law.

By-laws (1998)-15690, (2000)-16326, (2003)-17071, (2005)-17807, (2006)-17923, (2006)-18060, (2007)-18222, (2007)-18249, (2007)-18274, (2007)-18372, (2007)-18454, (2008)-19595, (2008)-18618, (2008)-18694, (2009)-18856, (2009)-18906, (2010)-18945, (2010)-19065, (2010)-19095, (2010)-19107 and (2011)-19220	
By-law Number (2011)-19301 A By-law to amend by-law numbers (2003)-17082 and (1997)-15351, with respect to appointments of persons serving as municipal by-law enforcement officers, known as "private parking agents", to add Parreault.	To amend the appointment of "private parking agents" by-law.
By-law Number (2011)-19302 A by-law to authorize the conveyance of lands described as Part of Lot 44, Registered Plan 172, designated as Part 2, Reference Plan 61R11684, City of Guelph.	To authorize conveyance of land.
By-law Number (2011)-19303 A by-law to authorize the purchase of an Easement in favour of The Corporation of the City of Guelph, on Part of Lot 5, Concession 2, Division "G" (formerly Guelph Township), designated as Parts 1, 2, 4 and 6, Reference Plan 61R11625, City of Guelph.	To purchase an Easement.
By-law Number (2011)-19304 A by-law to amend By-law Number (1994)-14738 (Discharge of Firearms within the City of Guelph), to amend Section 1(c), to delete and replace Schedule A to delete Schedule B and to adopt Municipal Code Amendment #457, amending Chapter 105 of the Corporation of the City of Guelph's Municipal Code.	To amend the Discharge of Firearms within the City of Guelph by-law.
By-law Number (2011)-19305 A by-law to authorize the conveyance to Wurth Canada Limited of the lands described as Block 9, Plan 61M169, City of Guelph.	To authorize a conveyance.

<p>By-law Number (2011)-19306 A by-law to remove: Block 40, Plan 61M167, designated as Parts 58 to 81 inclusive, Reference Plan 61R11603, in the City of Guelph from Part Lot Control.</p>	<p>To remove lands from Part Lot Control.</p>
<p>By-law Number (2011)-19307 A by-law to authorize the acquisition of property described as Lot 49, Registered Plan 388, City of Guelph.</p>	<p>To authorize an acquisition of property.</p>
<p>By-law Number (2011)-19308 A by-law to amend By-law Number (2005)-17771, as amended, being a By- law respecting Building, Demolition, Conditional and Change of Use Permits, Inspections, appointment of Inspectors and a Code of Conduct and to adopt Municipal Code Amendment #458, which amends Chapter 116 of the City of Guelph's Municipal Code.</p>	<p>To amend the Building, Demolition, Conditional and Change of Use Permits, Inspections and appointment of Inspectors by-law, and to adopt Municipal Code Amendment #457.</p>
<p>By-law Number (2011)-19309 A by-law to amend By-law Number (2002)-17017 (to amend No Parking Schedule XV and Restricted Parking in Schedule XVII), and adopt Municipal Code Amendment #459, amending Chapter 301 of the City of Guelph's Municipal Code.</p>	<p>To amend the Traffic By-law and to adopt Municipal Code Amendment #458.</p>
<p>By-law Number (2011)-19310 A by-law to define the general duties, roles and responsibilities of the Chief Administrative Officer.</p>	<p>To define the general duties, roles and responsibilities of the CAO.</p>
<p>By-law Number (2011)-19311 A by-law to authorize the execution of a Subdivision Agreement between The Corporation of the City of Guelph and Almondale Homes Limited and the Royal Bank of Canada. (Morning Crest Subdivision, Phase 2B)</p>	<p>To execute a Subdivision Agreement for Morning Crest Subdivision, Phase 2B.</p>
<p>By-law Number (2011)-19312 A by-law to authorize the execution of a Subdivision Agreement between The Corporation of the City of Guelph and Northview Estates (Guelph) Ltd. and</p>	<p>To execute a Subdivision Agreement for Northview Estates (Guelph) Ltd.</p>

Canadian Imperial Bank of Commerce. (Northview Estates Phase 3)	
By-law Number (2011)-19313 A by-law to authorize the execution of an agreement between The Corporation of the City of Guelph and Kieswetter Excavating Inc. for Contract No. 2-1123 for the servicing and road construction of the Northview Estates Phase 3 Subdivision.	To execute an agreement for Contract 2-1123.
By-law Number (2011)-19314 A By-law to provide for the temporary closure of Norma Crescent, DeShane Street and Atto Drive within the Northview Estates Phase 3 Subdivision during servicing and road construction. (Contract 2-1123)	To temporarily close roads within Northview Estates Phase 3 during servicing and road construction.